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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE NEWARK, N. J., AREA—PART II

HEARINGS BEFORE THE COMMITTEE ON UN-AMERICAN ACTIVITIES HOUSE OF REPRESENTATIVES EIGHTY-FOURTH CONGRESS FIRST SESSION

MAY 18, 19, AND JULY 13, 1955

Printed for the use of the Committee on Un-American Activities

INCLUDING INDEX



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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

FRANCIS E. WALTER, Pennsylvania, *Chairman*

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CLYDE DOYLE, California
JAMES B. FRAZIER, Jr., Tennessee
EDWIN E. WILLIS, Louisiana

HAROLD H. VELDE, Illinois
BERNARD W. KEARNEY, New York
DONALD L. JACKSON, California
GORDON H. SCHERER, Ohio

THOMAS W. BEALE, Sr., *Chief Clerk*

PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 84TH CONGRESS

House Resolution 5, January 5, 1955

* * * * *
RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress the following standing committees:

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *
RULE XI

POWERS AND DUTIES OF COMMITTEES

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(a) Un-American activities.

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE NEWARK, N. J., AREA—PART II

WEDNESDAY, MAY 18, 1955

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Newark, N. J.
PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met at 9:45 a. m., pursuant to recess, in the United States Courthouse, Newark, N. J., Hon. Clyde Doyle, chairman, presiding.

Committee members present: Representatives Clyde Doyle and Gordon H. Scherer.

Staff members present: Frank S. Tavenner, Jr., counsel, and Courtney E. Owens, investigator.

Mr. DOYLE. Come to order, please.

Let the record show that the quorum of the subcommittee is present, Mr. Scherer, of Ohio, and Mr. Doyle, of California.

I wish again to express appreciation to those present in the courtroom for their cooperation in the matter of being quiet so that the witnesses can be heard and the stenotypist can record the testimony.

For the benefit of any counsel appearing with a witness, I wish to state that our rules expressly limit the right of any counsel for a witness before this committee to advising the witness of his constitutional rights. We do not permit a lawyer to put the words in the mouth of a witness and tell him what to say, as a matter of fact.

In other words, it is the witness that we are questioning and not the lawyer, and we expect the lawyer's cooperation in obeying the rules of this committee the same as he would be expected to observe the rules of a court.

I have said before that we do not expect any manifestations of either approval or disapproval of any witness in the chair, or his testimony.

We received two communications, among others, which I feel should be read into the record. One is from the Veterans of Foreign Wars, Essex County Council, 66 North Seventh Street, Newark, N. J., May 11, 1955:

Hon. FRANCIS WALTER, M. C.,
Chairman, House Un-American Activities Committee,
Newark, N. J.

SIR: At the Wednesday, May 11, meeting at the Essex County Council of the Veterans of Foreign Wars held in Roseland, N. J., a resolution was passed welcoming you and your committee to Newark and to Essex County. It was further

resolved on behalf of our 43 participating posts and 5,000 members to pledge our aid to your aforementioned committee in any and every way that we can be of service.

Sincerely,

Roy C. WALKER,
County Commander, Essex County Council, VFW.

In reading that into the record I want to compliment the VFW of Essex County Council and say that is one of the great patriotic orders of our country which has made a study of the functioning of the House Un-American Activities Committee and from every part of the Nation we have received the same type of communication commanding the committee for its work and pledging the support of the VFW.

So I have occasion again on behalf of Francis E. Walter, the chairman, unavoidably absent today and yesterday, to thank the VFW of Essex County for this letter.

I received this telegram last night. In the picket line night before last I saw dozens and dozens of placards being carried, on which among other names or slogans appeared the word of "Corsi." I don't know why. This telegram speaks for itself.

NEW YORK, May 17, 4 p. m.

Congressman CLYDE DOYLE,
Robert Treat Hotel, Newark, N. J.:

Will you please make clear to the members of your committee that I completely repudiate the use of my name in connection with the demonstration staged in Newark yesterday. My views on the McCarran-Walter law do not modify or lessen my vigorous opposition to communism.

(Signed) EDWARD CORSI.

I also insert in the record the full text of House Resolution 151, adopted by the House of Representatives on March 23, 1955, which amends the House rules governing not only this committee, but all investigative committees of the House of Representatives.

This is the amendment to the rules which requires not less than two committee members present and which permits a witness to be represented by counsel who may advise his client on his constitutional rights.

(H. Res. 151 follows:)

[H. Res. 151, 84th Cong., 1st sess.]

RESOLUTION

Resolved, That rule XI 25 (a) of the Rules of the House of Representatives is amended to read:

"25. (a) The Rules of the House are the rules of its committees so far as applicable, except that a motion to recess from day to day is a motion of high privilege in committees. Committees may adopt additional rules not inconsistent therewith."

SEC. 2. Rule XI 25 is further amended by adding at the end thereof:

"(h) Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence, which shall be not less than two.

"(i) The chairman at an investigative hearing shall announce in an opening statement the subject of the investigation.

"(j) A copy of the committee rules, if any, and paragraph 25 of rule XI of the House of Representatives shall be made available to the witness.

"(k) Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

"(l) The chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

"(m) If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person, it shall—

 "(1) receive such evidence or testimony in executive session;

 "(2) afford such person an opportunity voluntarily to appear as a witness; and

 "(3) receive and dispose of requests from such person to subpena additional witnesses.

"(n) Except as provided in paragraph (m), the chairman shall receive and the committee shall dispose of requests to subpena additional witnesses.

"(o) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee.

"(p) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

"(q) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee."

Mr. DOYLE. Are you ready to proceed, Mr. Tavenner?

Mr. TAVENNER. Yes, sir.

I would like to call Mr. Joseph Fisher.

Mr. FISHER. My attorney isn't here yet. He is due at 10 o'clock.

Mr. TAVENNER. I happen to know that his counsel was here on Monday and it is quite possible that he would have had no way of knowing that he was to appear at 9:30 today though it seems that his client should have advised him.

Mr. DOYLE. I ask the witness to let Mr. Tavenner know immediately at 10 o'clock whether or not the lawyer is here. Call the next witness.

Mr. TAVENNER. Mr. Anthony DeAquino.

Mr. DOYLE. Will you please rise and do your solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DEAQUINO. I do.

TESTIMONY OF ANTHONY DeAQUINO

Mr. TAVENNER. What is your name, please, sir?

Mr. DEAQUINO. Anthony DeAquino. D-e-A-q-u-i-n-o.

Mr. TAVENNER. It is noted you are not accompanied by counsel, Mr. DeAquino. It is the practice of the committee to permit witnesses to be accompanied by counsel. If it is decided to proceed without counsel and during the course of his testimony, the witness desires to have counsel, he has a right to consult counsel.

Do you wish to proceed without counsel?

Mr. DEAQUINO. I do wish to proceed without counsel.

Mr. TAVENNER. When and where were you born, Mr. DeAquino?

Mr. DEAQUINO. I was born in Orange, N. J., September 21, 1906.

Mr. TAVENNER. What has been your educational training?

Mr. DEAQUINO. I went up to the sixth grade and from the sixth grade they pushed me into the seventh grade. I was there 72 days and I was forced to leave school.

Mr. TAVENNER. Have you been active in work of labor unions?

Mr. DEAQUINO. Not until I actually came to Federal.

Mr. TAVENNER. What do you mean by "Federal"?

Mr. DEAQUINO. Federal Telephone & Radio Corp., subsidiary of the International Telephone Corp. I came to Federal August 2, I believe that is the right date, 1942.

Mr. TAVENNER. When you came to that company in 1942, was there a labor union organized within that company having negotiation rights or privileges with the company?

Mr. DEAQUINO. When I first came there with the company I worked a few days and I was asked by some fellow by the name of Donner, I don't know how to spell it, Donner or Dunner, or something like that, but he is no longer with the company, he left a long time ago. He approached me and asked me whether or not I would be willing to sign up with the union. At that time the United Electrical, Radio and Machine Workers of America was trying to organize it and they had it partially organized but now that I recall, to the best of my recollection they signed a contract.

Mr. TAVENNER. When was the contract signed?

Mr. DEAQUINO. I believe in 1942, sometime.

Mr. TAVENNER. In 1942?

Mr. DEAQUINO. Yes.

Mr. TAVENNER. At the time or after UE was organized in that company, did you hold a position or office of any character in the union?

Mr. DEAQUINO. I remember that there was some fracas in my department; I was hired to do pipefitting work. I had worked at it quite some years back with a gentleman—I don't like to state his name, I don't want it in the paper because he is clean and in business—but he taught me part of the trade and he asked me to come to work in Federal. Prior to that I had been working in the Eastwood Neely Corp. where I wasn't making too much money. I got hired at the Federal and they put me to work with him.

I went to the maintenance department consisting of all skilled crafts, electricians, painters, carpenters, masons, et cetera—and with that after working there about 3 months—after I joined the union they asked me whether or not I would like to represent them as a steward or accept a steward's job. I became steward. That is the first line steward, not a chief, just a steward.

Mr. TAVENNER. How long did you remain a steward?

Mr. DEAQUINO. I remained a steward for a few years until finally they saw I had some qualifications, as far as starch was concerned, in order to help defend the fellows I represented and I recall that for a while there I was doing a pretty fairly good job for them, and they decided they would run me for chief steward. I actually ran for chief steward and was elected to chief steward.

Mr. TAVENNER. Do you recall the date of that?

Mr. DEAQUINO. I think I became chief steward around 1943, that is latter part of 1943 or maybe early part of 1944. I may be wrong one way or another as far as the time element is concerned, but I can't make it any clearer.

Mr. TAVENNER. What was the number of your local?

Mr. DEAQUINO. The local number was supposed to be 447, United Electrical, Radio & Machine Workers of America (UE).

Mr. TAVENNER. Have you held other positions in the union?

Mr. DEAQUINO. Yes, I was sergeant-at-arms. I became sergeant-at-arms controlling meetings—escort people to seats and try to keep order.

Mr. TAVENNER. Did you become a member of the Communist Party at any time while you held one of these positions with the UE?

Mr. DEAQUINO. If you ask me that question, whether or not I became a member of the Communist Party while I was a member of the UE, I will say no. My first inkling was that I became a member of a social club or a club called the Federal Club. Does that answer the question?

Mr. TAVENNER. Will you tell the committee the circumstances under which you became a member of the Federal Club?

Mr. DEAQUINO. Well, I was pretty active in the local. In stemming from a poor family, I was trying to get ahead. I thought I could do as good or maybe better than what my father did but it seems it was a failure. I was going to work with the union and found myself wrapped up in a situation that if I wanted to keep control of the positions that I held and if I wanted to get ahead further in the local due to my background as far as being fearless in approaching foremen and defending workers, whereby something may go wrong—where a foreman didn't like the way a guy combed his hair, that wasn't true about combing hair—but maybe because a person didn't actually produce enough or because they got in trouble with the foreman one way or another, because either off or on the job they didn't carry on in accordance with the classifications, we immediately filed grievances.

Mr. TAVENNER. May I suggest you not speak quite so rapidly and it will be easier on the reporter.

Mr. DEAQUINO. O. K.; thank you.

Because of the fact that I was aggressive in the union they decided to actually solicit me for the Federal Club. I was approached. Do you want me to tell you who approached me?

Mr. TAVENNER. Yes.

Mr. DEAQUINO. I was approached by Sam Verano, who happened to be president of the union at that time. I think it is V-e-r-a-n-o.

Mr. TAVENNER. Was he president of the local union?

Mr. DEAQUINO. Yes, he was president of UE local 447.

Mr. TAVENNER. Did you say he approached you?

Mr. DEAQUINO. Yes, sir.

Mr. TAVENNER. To become a member of the Federal Club?

Mr. DEAQUINO. Yes, sir.

Mr. TAVENNER. What year was that?

Mr. DEAQUINO. Well, it must have been in late 1944—No, no, wait a minute. I am going off. That was around 1946, late part of 1946. Late part of 1946.

Mr. TAVENNER. Tell the committee why you joined the Federal Club and what the Federal Club was as far as you knew at that time.

Mr. DEAQUINO. I was ambitious. As I told you before, I wanted to try to get ahead so Joe Sprechman, as I thought we were pretty good friends and Joseph asked me to do favors, run here and there, and go on picket duty and I followed him around like a dog and I thought maybe he would actually do something for me in the future, which he spoke with determination to do something for me.

I am an opportunist and glad to admit it because a lot of people in this country or other countries are opportunists and want to get ahead. Sprechman, business manager of the union, and I had a little conversation as to whether or not I was able to run for president of the union in the next coming elections. He said to me, "I don't think you could

make it or get elected because of the fact that you would be badly beaten on account of the Federal Club is pretty strong."

So immediately I put my head down and walked away from him. He said, "Don't go away sore or mad because it is a club and you just don't belong to it."

I says okay. "Maybe some day I may belong to it."

So weeks passed—

Mr. SCHERER. Up to that time had you known about the Federal Club and its activities?

Mr. DEAQUINO. No, sir. I didn't even know they existed.

Mr. SCHERER. When this man told you about the Federal Club was that the first time you learned about it?

Mr. DEAQUINO. Yes, sir.

Mr. SCHERER. And this occurred during the conversation about your running for president of the union?

Mr. DEAQUINO. Attempting to run.

Mr. SCHERER. Did you question him at that time why the Federal Club, which was a club apart from the union, would have so much influence in the election of a president of the union?

Mr. DEAQUINO. No, I didn't question him but he did leave off saying "Don't go away sore or mad, don't feel bad," he says, "Maybe there is a possibility that somebody will come over and approach you as to whether or not you could become a member of the club and maybe in the future you could run for the president or any other high office."

Mr. SCHERER. Didn't that seem rather peculiar to you, you being such an ardent conscientious union man, that you would have to join some outside club to get ahead in the union?

Mr. DEAQUINO. No, it didn't because it seemed to me that it was one of those things from time to time where just a certain group always was in the leadership and it seemed that this group that was always in the leadership was supported by the same element, I found out afterwards, you understand, and they were more or less active in getting out the vote and helping each other to get certain people elected in certain positions.

Mr. SCHERER. Do you mean the group that belonged to the Federal Club was the same group that ran the union?

Mr. DEAQUINO. Yes, sir.

Mr. TAVERNER. Did you become a member of the Federal Club as a result of what you have described?

Mr. DEAQUINO. Yes, sir.

Mr. SCHERER. How did you happen to become a member?

Mr. DEAQUINO. I was working in the toolroom, at that time I didn't have so much leisure time, like most of the stewards and chief stewards that had practically all day to jockey around and take care of union business or tried to quiet down some of the people or try to advance the interests of some people who completely complained all the time the bosses were picking on them and things of that nature.

But I was in the toolroom and Sprechman was in the toolroom. Along came Sam Verano. We were good friends, emphatically buddies. I trusted Sam implicitly and knowing what a poor kid he was and where he came from, I trusted him and figured he was my kind.

So in fact Sam came over and put his arm around me and Sprechman had walked away, that is Joseph Sprechman walked away. I

didn't catch on to that but Sam says "Look," he says, "we organized a club in Federal here. How would you like to be a member?"

I had heard Sprechman say somebody was going to approach me and I was waiting for the approach. When the approach came I was glad too and I actually joined up in the Federal Club. Does that answer your question?

Mr. TAVENNER. At the time you became a member of the Federal Club did you know whether or not it was a group of the Communist Party?

Mr. DEQUINO. Evidently I never heard the word Communist until a certain person name Joseph Sangene, and another fellow Bill Garrigan and also Al Licato.

Mr. TAVENNER. Repeat their full names.

Mr. DEQUINO. Joseph Sangene, Alan Licato, William Garrigan.

Mr. TAVENNER. You say those three men came to see you?

Mr. DEQUINO. Yes, but mainly Sangene. Sangene approached me and told me that there was a certain element within the organization that had actually grabbed control of the union lock, stock, and barrel and he said that he was unable to actually do a job in the manner that he knew best because he was at that time elected as a business agent. There is a difference between a business agent and a business manager. So I asked him, "What do you mean, Joe," being he was a Catholic and Italian like myself, or he stemmed from Italian extraction, I sympathized with him because of some of the things he told me and I took particular notice at times Joe was in his office certain people that went to Sprechman's office actually would close the door and whisper.

I thought if we had a democratic organization such as Joe was trying to teach me the procedure of being a good Democrat or being a democratic organization that we are not supposed to operate behind locked doors.

So evidently it seemed to me that this continued and continued until it really got under Joe's skin. Due to the fact that Joe was handling grievances and upgradings for the company and writing up classifications he actually could not do a job that he wanted to do because every time he asked for information he would get either misleading information or they would pass it off they had to go some place in a hurry and would take care of it when they come back.

So Joe was left out in the cold. Evidently Joe said to me something had to be done and we had to find out what these secret meetings and what was taking place behind these closed doors and he started telling me something about communism and Communists and what it meant, their aims and what they were asking for. Evidently I am all ears on things like that and learn fast.

I heard everything he said to me. He told me somebody had to get within the Communist Party to actually find out what they were angling for, why we couldn't get Bill Garrigan elected as president of the union, why we couldn't get different people elected into positions that we wanted to and we finally found out why.

Mr. SCHIERER. You say you finally found out why. Tel us what you found out.

Mr. DEQUINO. At that point Joe asked me to do him a great favor. He says to me he says, "You are the only one around here who actually has any guts that I can rely on and you will have to get in with them."

And I immediately told him, "Joe, I was approached to join the Federal Club."

Joe says, "That is not the Federal Club. That will stem up to be the Communist Party." He says, "I am glad you got into it. What I want you to do is give me the low-down on what takes place and if they let you in on the secret meetings let me know."

Mr. TAVENNER. In other words, the three men whose names you mentioned were not Communists?

Mr. DEAQUINO. Absolutely not Communists.

Mr. TAVENNER. That is what I want the record to be clear on.

Mr. DEAQUINO. So evidently Will Garrigan is a good Catholic and Sangene is and I know Alan Licato is, too, and in fact Licato and I are still in the shop together. From there on in they started to bring me from house to house drinking coffee and cake and listening to a lot of ways that they were going to advance the interests of the workers and what gains they were going to make, how they were going to proceed, different elections in the city, this, that, and the other thing, all this propaganda they passed around.

From that I was invited to attend a meeting at Park Place, Newark. I don't know if it is 38, 39, or 40 but it is down by the Robert Treat Hotel.

At that meeting it wasn't a long meeting—a very short meeting—I was surprised at that particular time, we were again in negotiations, I was surprised to hear that some of the things that were going to be asked in negotiation were actually coming from those meetings. I thought if we were a labor union that we are big enough to make our own proposals and our own demands without somebody else from some other group, outside group, telling our business manager the way he should function in negotiations.

Mr. TAVENNER. Were other persons who were not members of your union, at that meeting you are describing at Park Place?

Mr. DEAQUINO. Sure. Because they come out with their strategy for all the local unions, not only for ours, but they tried to get these contracts more or less to be unified. So our local would get the same, could get or try to get the same as Westinghouse workers, same as GE, same as everything and the expiration of the contracts was supposed to be the same, too.

Mr. SCHERER. I think you made it clear but let's see if I have it clear.

You would go to these meetings of the Communist Party designated as the Federal Club at which there were Communists present who were not members of your union.

Mr. DEAQUINO. They were Communists because they couldn't get into that place without being a Communist.

Mr. SCHERER. You made that clear. But these people who were not members of the union sat in in developing policy and programs that were required to be followed by the business agents of your union; is that right?

Mr. DEAQUINO. That is correct. Not only sat in to formulate policy but they also dictated it.

Mr. SCHERER. They dictated it?

Mr. DEAQUINO. Yes.

Mr. DOYLE. How did this Communist group dictate the policy of the union to the business agents?

Mr. DEAQUNO. You see, Joe Sangene was never present or invited to these meetings. The only ones invited to these meetings that were out-and-out Communists was Joseph Sprechman, Sam Verano, myself, and there were some girls there but I don't remember their names, but I do know Martha Stone was there.

Mr. TAVENNER. Martha Stone?

Mr. DEAQUNO. Yes, sure, she was always there. She never missed. I gave you some names I thought were there at the time when they actually gave us the highlights on how to proceed. Now when we picked up all this stuff it was brought back to our stewards council, our executive board, and of course they made believe to the membership that they could formulate their own demands. While the membership would get so hot under the collar they would actually have somebody like me or somebody else that actually came from there always strong sympathizers, ones that used to like Sprechman as much as I did when he was alive and followed him around while he was in the party, carried the ball for them.

They would call them out of the shop to go down to the union office and Sprechman used to shut the door and he or she used to get the highlights of what would take place at the membership meeting and how he was supposed to get up and make certain motions so that they could get their policy or dictations across that they picked up at the Communist Party. Is that clear?

Mr. TAVENNER. Yes.

Mr. SCHERER. Mr. Tavenner, that is one of the best statements I have ever heard.

Mr. TAVENNER. You said that Mr. Sangene asked you to obtain information as to what was going on with this group of Communists. Did you get a Communist Party card after you got into the party?

Mr. DEAQUNO. Oh, yes; you couldn't go there—I mean, if you didn't pay dues and initiation fee and get a card.

Mr. TAVENNER. Do you remember the year that you received your Communist Party card?

Mr. DEAQUNO. It happened around late 1947 or—no, early 1947 or very late 1946 in and around that time, the exact dates I don't know unless they want to produce them, it is okay with me.

Mr. TAVENNER. You agreed with the gentleman who picked you out that you would get into the Communist Party and find out what it was doing?

Mr. DEAQUNO. Yes; I did.

Mr. SCHERER. Who suggested it?

Mr. DEAQUNO. Sangene. Garrigan didn't know and neither did Licato know, we kept it a secret. I told him the only one that would know would be Sangene and Sangene alone. If any more than one person knew, it would get publicity and expand all through the shop because if more than one person knows anything it gets around fast and you can't pinpoint it to who actually told who.

Mr. TAVENNER. Did you obtain the assistance of any other person in doing this?

Mr. DEAQUNO. Well, I came down to the city fathers and I told them that I was about to actually bring something to the surface, something I thought that would shock the people in the State and even in the city. I asked them if they would give me some cooperation on the

matter in the event there would be either some bloodshed or what, or we would have to resort to some sort of violence in order to do so. They said, "Look, it is hard to do. We advise you to be careful and advise you not to get mixed up in this because you are liable to be the fall guy and get hurt."

They asked me who would be with me at the time to do these things. I told them there was another fellow and I who were actually going to do this. I was in the party pressing for recruiting purposes. They told me I had to recruit due to the fact I was popular in the union, I had gained a lot of popularity by showing a lot of aggressiveness and because of the fact that I tried to treat everybody right and nice.

I wanted to be nice with everybody and that is it. So evidently popularity went a long ways and the people thought that I was a right guy. They still do, because if they didn't I wouldn't have been able to actually overthrow them because they had control of the union for approximately 7 years.

They owned the union lock, stock, and barrel, and treasury; they did anything they wanted and how they wanted to do it.

Mr. TAVENNER. Before we come to the question of defeating the Communist leadership in that union, I want to find out whether you had any active help within the Communist Party from any one you selected to help you.

Mr. DEAQUINO. Yes, I had, he is now my foreman, and I am glad he is and I am glad to be working for him. His name is Julius Kolovetz. K-o-l-o-v-e-t-z.

Mr. TAVENNER. What do you usually call him?

Mr. DEAQUINO. Jule.

Mr. TAVENNER. Did you get him to come into this Communist Party group to assist you?

Mr. DEAQUINO. Yes. Well, it is a long story. Jule and I had been knocking around a long time.

Mr. TAVENNER. What did you do to get him in the Communist Party group?

Mr. DEAQUINO. You don't want a long story. I recruited Jule into the Communist Party but before I recruited him I told him what we were going in for and I told him, "Don't get yourself all hog-washed or mixed up in the hogwash they feed you because we have to do a job."

He said, "I am with you all the way." We pretended to be with them all the way but at the same time we were crossing them.

I mean crossing them to the extent we were trying to put across our own program. We, us guys wanted to run an honest union. So they turned around and they highly respected us, we went along with some of their suggestions and motions, we even emphatically endorsed them on the floor, we even got people to vote in a block for them, at conventions or even executive board meetings and steward councils and they thought we were really heroes.

But all in all we were piling up everything we wanted to pile up against them and furnishing Joe Sangene with all the information and then from there on in came the break. Hell broke loose. When Sangene says to me, "I think you got enough now, you got to break." You want to hear about the break?

Mr. TAVENNER. Yes.

Mr. DEAQUINO. O. K. The break came in late 1947 right after negotiating the contract with the company—at which they themselves claimed at that time I believe we got 5 cents and 5 cents retroactive with a supposed-to-be-package about that big. It was magnified but found out it was a couple of crumbs in the basket or box. From there on we quieted the people down to accept it. They moved to accept it after we had a good strike on our hands for a while.

Incidentally, that strike didn't come on us as the result of the negotiations. That strike was a premeditated strike where one person now deceased by the name of Joseph Finesock engaged himself in a bitter struggle with a foreman and especially the radical element we had employed in the machine shop of the company where most of our trouble occurred.

This Joe Finesock got into an argument with a supervisor or foreman and deliberately wrote a note or letter or statement on a piece of paper and on this piece of paper it had something too filthy to say, but anyway the supervisor was insulted because of the statement that was on the paper and he fired Joe Finesock.

At that point I remember that as clear as sitting right here, negotiating committee sitting around the table brought Joe Finesock in and his foreman—I don't recall his name at the present time because so many foremen went and came with this company, supervisors, too. He said, "I am Joe Finesock." It happened to be at that time one of the company representatives wanted to know why he was firing him. He showed him why and turned around and he says, "Well, I would fire him too."

So evidently Joe Finesock stood fired so he whispered in my ear, "Get the gang out of the shop and pull a strike." That started the strike.

Mr. TAVENNER. In other words, there was no labor issue involved in it.

Mr. DEAQUINO. Absolutely not, just because of the fact that they had entered into verbal discussion or some sort of verbal argument some kind of argument they had had premeditated thing. Also as far as I am concerned, I think I found out from Joe Finesock's lips just before he died when I went to see him at the house.

Mr. SCHERER. Was Joe a member of the Communist Party?

Mr. DEAQUINO. Not that I know of but I will tell you at one time he felt very perturbed about it. His picture appeared in the Daily Worker and he felt so offended I think that that actually killed Joe. Right after that Joe Finesock dropped dead. Joe Finesock was a sensitive man. Actually I have seen a kid drop dead because a guy got into an argument. Some people just can't take shocks.

Mr. SCHERER. People like that better not serve on this committee.

Mr. TAVENNER. Did you state that Mr. Sangene told you he thought that since you had now gotten enough information, you could break the control of the Communist Party over your local?

Mr. DEAQUINO. Yes. So he told me that at the nearest or quickest date that I could to actually get out of it and try to make a break. He said, "Look for a loophole," he says, "as to how to do it."

Well evidently it seemed to me that they moved out on Bradford Place. I had been attending meetings in the Communist Party pretty regular. I don't remember names but I met quite a few of them. Now,

I am sorry I didn't take down some names because if I knew I was going to lead up to this it should be taken care of in the right manner.

But we got there and it was a place upstairs of some fish house, some chop house, I don't know that community too much down on Bradford Place, business section, and upstairs from some fish restaurant they opened up a Communist Party headquarters. So it needed painting bad, needed decorating and needed plumbing that had to be done and wiring and that stuff. They were trying to solicit different people to actually donate their time to do it. And if necessary could even supply the paint.

Mr. TAVENNER. That is members of the club?

Mr. DEAQUINO. No outsiders could get into the meetings unless you had a card, you had to be a Communist, you could not bring a friend with you to show how we operate and function, what a democratic organization we have, and how we try to do things here to advance interest of the people. You had to be a card-carrying member, you had to be a member that had a card. Is that plain?

Mr. TAVENNER. Yes.

Mr. DEAQUINO. Now, this is no joke and I am telling you the truth, I swore to tell the truth and I expect to tell the truth right down the line to the best of my ability or best my mind serves me, because it has been a long time and I have been through a lot since then.

Somebody come up with the bright idea to hang pictures of Joe Stalin around and other great leaders of the Communist Party and of course somebody made some remarks about why not put up Roosevelt's picture. They says, "Yes, we will hang Roosevelt's picture." But it happened to be they were putting Stalin and the rest of the group up along a nice wall which had to be painted, but it was a little bit better than where they wanted to put Roosevelt's picture. I am sorry to say they took the audacity of saying we will put it near a partition that was close to the men's room. I says to them, "What is the idea of that?" We got into an awful wrangle over that and they decided finally to put up a Russian flag.

I says, "Why not an American flag?" Somebody says "You are getting too --- cocky," and I said "To — with you and the Communist Party." This is where I found my cue and I broke with them.

I say to Jule, Tony Zinna and a few boys, "Look, let's get to — out of here." We did. They tried to coax us to stay. One of the guys tried to say, "We didn't mean it that way."

I said, "To — with you and the Communist Party." I got my gut full of everything they were aiming to do in the union and aiming to do in the State of New Jersey.

I don't know what they were going to do in New York or any other place. With all that I immediately called up Sangene and told Joe Sangene I had broke with them and that we immediately were going to gear ourselves, get up a slate of officers. We did get a slate of officers. We did gear ourselves. I spent every dime I saved and so did Jule and so did other people who actually helped in order to overthrow this group. Sangene lent us money just before he opened up his gas station.

In the meantime in the late 1947, Sangene couldn't stand it no longer so he actually quit the union and he opened up a gas station, Texaco gas, located at the junction in Elizabeth.

Sangene after being there a while happened to meet some other gentlemen or some business associate of his and decided to open up a business in Florida. All this time Sangene and I were always in close contact by letter with one another because it was no easy fight, it was a hard fight. I was constantly under pressure day and night. I was under the greatest attack; I don't think anybody else was ever slandered as much as I. I think they accused me of everything in this whole Nation. Nobody could be dirtier than I. They accused me of stealing the union safe. I recall a leaflet they had where I was walking, the safe was flying behind me. Beside that they accused me of transporting women across the State line for immoral purposes because of the fact that they actually wanted to disease the mind of the membership, especially women in the local. They wanted to make it appear in the local I was a professional crook.

Mr. SCHERER. Do you mean the Communist Party engaged in smear tactics against you?

Mr. DEQUINO. Are you insinuating right up to the present time they wouldn't stoop that low?

Mr. SCHERER. I merely asked that because this committee is charged, you know, with being—

Mr. DEQUINO. To tell you the truth, I can produce all of the leaflets that they put out against me and not only me but my colleagues, too, as well, and even beyond that.

Mr. SCHERER. What they said in those leaflets when they smeared you certainly wasn't at all true, was it?

Mr. DEQUINO. Well, let me say this here. I don't know if I found one that could tell the truth. I don't know if they know what the word truth actually means. I don't believe these people ever read the Bible. I don't believe they actually go to any church. I don't think they have any kind of faith except tearing hearts out of people and cutting them to shreds.

Mr. DOYLE. You refer to these people; do you mean the Communist Party in the State of New Jersey?

Mr. DEQUINO. I don't know about other States, and don't care, but I was interested in our State.

Mr. DOYLE. I would like to supplement Mr. Scherer's question. On yesterday there were 2 or 3 of the men in the witness chair who said this committee was smearing people. I believe they knew that we knew the record showed that they were members of the Communist Party right when they were in the witness chair. They had the privilege of pleading the amendment if they could do so honestly and conscientiously. But do you mean that the Communist Party members in your local smeared you?

Mr. DEQUINO. Well, I don't know—I can produce the evidence of it. They not only smeared me in the local, they smeared me in the press, all over. The Daily Worker, especially.

Mr. DOYLE. I suppose now they will be calling you a stool pigeon.

Mr. DEQUINO. I don't care what they call me because I will tell you they may call me a rat but I haven't got a tail but they have tails and they have plenty of tales to tell if they want to tell, because they are confusing the people of our country and in the State and in the labor unions.

Mr. DOYLE. I agree with you that is part of their dastardly program. Proceed.

Mr. TAVENNER. After you reported to Sangene on this fight in the local, what means were adopted by you and your friends to see that you were getting an honest election?

Mr. DEAQINO. You mean who conducted the election?

Mr. TAVENNER. How did you proceed to insure an honest election?

Mr. DEAQINO. I am proud to say we actually hired the Honest Ballot Association of New York and they conducted the election and they seen to it that these guys didn't get close to any of the machines, they conducted the election by machines and also the challenged ballots were conducted by ballot box.

Mr. TAVENNER. Was that a private company engaged in conducting elections?

Mr. DEAQINO. Let me say this, that I had nothing to do with hiring them, the only thing I knew was how much it cost.

Mr. TAVENNER. How much did it cost?

Mr. DEAQINO. Well, approximately according to the figures that my boys—actually who were better tabulators than me—it cost around \$2,500 for the whole thing.

Mr. TAVENNER. Did that amount have to be paid by those in the union who were working with you in this fight?

Mr. DEAQINO. Well, it couldn't be paid by them it is a sure thing—because we were the ones who wanted to have an honest organization to conduct the election, and surely because of the fact that we emphatically impressed it at a membership meeting and overwhelming voted on it we were able to notice then and there we had control and we were going to win the election.

Mr. TAVENNER. Why did you think it was necessary to employ a concern of that type to conduct the election?

Mr. DEAQINO. Mr. Tavenner, I don't know whether or not I made it clear prior to all of this but I think, let me say this, I am sure I said that we could never conduct an honest election because they would always get into the office and we could never have any one of our own choice in any position whether it was steward, chief steward, political action chairman or what have you in the local.

Mr. TAVENNER. Was that because the Communists had control of all the voting machinery of your local?

Mr. DEAQINO. Yes. Not only did the Communists have control but they also had the sympathizers to do the dirty work for them, as well. They would elect their own judge of election, didn't know who he was but they thought, we thought that he was an all-right guy. And the first thing you know the judge of election would have the keys to the ballot boxes. There was no machine votes in the local. It was all done by boxes.

Did you ever see one of these boxes?

Mr. DOYLE. Yesterday we heard the testimony of three representatives of the UE state that the UE local in district 4 in Newark was the most democratically run union in the country.

Do I understand that you and other members of the UE, the local in this district 4, had to hire a New York company which makes a business of conducting honest elections with their machinery, to come to Newark to conduct the election so that the membership of the union could express its own opinion without being controlled by this Communist gang?

Mr. DEAQUINO. I don't know what he said, but anyway if he calls it a democratic union maybe it is the kind of democracy they have in foreign nations that I don't know and maybe we don't know of but I do know that from the past experience that I had attending the council meetings—attending the executive board meetings, attending membership meetings, all the way up to State conventions and national conventions—I know that we were always told we had to vote in a bloc and when you vote in a bloc you were being dictated to as to how to vote. Now if you vote in a bloc that means they want to get who they want into any office. Do you call that a democratic organization?

Mr. DOYLE. I do not.

Mr. DEAQUINO. That is right, because I could give you stories of way back when Bob Enright, Steve Moran, city commissioner at one time, when Kleck from Philadelphia and Block from Philadelphia, Pa., and numerous others opposed their ways, opposed Matles, opposed Fitzgerald, opposed Emspak, all the whispering in those caucus sessions and all rooms at nighttime, daytime, and trying to get all the delegates together to tell them to vote in a bloc.

Or else if I told them I like Enright and I did like Enright—in fact, Enright was one of my right-hand men and I am not ashamed to say it. Steve Moran gave me a big hand. Karl Holderman gave me a big hand and numerous other people that I can't recall now but they helped me out and encouraged me.

In fact, my biggest encourager in the fight was Bob Enright. Milton Weirach I forgot to mention. He helped me out a lot.

Mr. TAVENNER. As a result of the conduct of this election by the Honest Ballot Association, did you win the fight against those who had been in control of the union?

Mr. DEAQUINO. We not only won the fight; I am proud to say that we made them cry because we threw them right out of office, took Sprechman right out of the office. He said "Let me rest in the chair 5 minutes"—because he was getting a heart attack. He was taking pills. I said "All right, rest. We don't want you to die here." He went. And half of them ran out. When we called the division of the house at the membership meeting one time for the members to decide whether they wanted to be on the right or left of the hall or join the right-wing faction of the fight, or left-wing faction, we overwhelmingly beat them and they jumped off the stage and ran out of there, off the stage, and hollered "other people are rats."

Mr. SCHERER. Who called them rats?

Mr. DEAQUINO. They called people rats, spit at them. Called up wives and if I am shooting pool in Newark or out drinking beer, they said I was with some blond in New York City. They disturbed us at nights with phone calls so much my wife was a nervous wreck and still is a nervous wreck.

Mr. DOYLE. Do you mean a member of the Communist Party in your own union would call your wife while you were away from home and lie about you in order to ruin you and split your family?

Mr. DEAQUINO. We can make a joke out of this and I can go on all day. These people are stooping so low they will bring up the biggest waste we have in the ocean, they will bring it right up to the surface.

Mr. DOYLE. I have heard of many cases of deliberately trying to break up families to force the men to do as those Communist "rats" wanted them to do.

Mr. TAVERNER. Will you go back to the time you were in this Communist Party group and met at Communist Party headquarters and other places? Tell the committee the names of leaders of your union who were members of the Communist Party.

Mr. DEAQUINO. Just to refresh my memory I don't know whether or not—I am going to tell you everything I know about them because I have told you everything I know up to now and if you want to know the names and name names, I am proud and glad to do so.

First name that I found out was Joseph Sprechman. He was business manager of the local, business manager of local 447, UE.

Mr. TAVERNER. Did he attend these Communist Party meetings with you?

Mr. DEAQUINO. He certainly did. He couldn't have been business manager long if he didn't.

Connie Dubac and his wife. I don't know what her name is, Katherine or Kathleen or something, but I think it is that.

Connie Dubac used to be former president of the union until he went in the service and when he come back the position was filled by somebody else by name of Flavani, I think. I don't know.

Mr. TAVERNER. Is that spelled D-u-b-a-c?

Mr. DEAQUINO. Yes; and his wife. I think his wife's name is Katherine.

Mr. TAVERNER. Did you say the other man you just mentioned was a member of this Communist group with you.

Mr. DEAQUINO. No.

Mr. TAVERNER. We want to make the record clear.

Mr. DEAQUINO. Don't put that down as him being a commie because he was not. In fact, they threw him out of office. They brought him up on phoney charges that he engaged in some Fascist activity and they threw him out of office. I think, I don't know what the hell it was, I was new then and couldn't understand it very well, couldn't catch on why they actually threw him out but they had phoney charges against him and it was in the newspapers and you could get it from the news.

Mr. SCHERER. They called him a Fascist.

Mr. DEAQUINO. Yes.

Mr. SCHERER. We were called that yesterday. We are in good company.

Mr. DEAQUINO. I was called that, I was called other things, too. I am proud to be what I am.

Mr. TAVERNER. You have told us about Dubac being a member of this group.

Mr. DEAQUINO. Then we honestly met another big fireball. This guy is named Gabe Bloksberg, Gabriel Bloksberg, and his brother, Big Doug or something. I don't know what his name is.

Mr. TAVERNER. Did he hold any official position in your union?

Mr. DEAQUINO. Yes, from to time he had a stewardship, from time to time he was something important, he used to do what the hell he pleased, he was all kinds, member of the executive board, who the hell knew. He was everything.

Mr. TAVENNER. Will you give us the names of others in your union who were members of the Communist Party?

Mr. DEQUINO. Supposed to be a friend of mine, named Sam Verano.

Mr. TAVENNER. Was he the man who first came to see you about joining the Federal Club?

Mr. DEQUINO. That is right.

Mr. TAVENNER. What position did he hold in your local union?

Mr. DEQUINO. He used to work like a dog in the machine shop until they made him president of the union, that is all I know. Then at these meetings I met one of the representatives of the district, I think he still is, Bill Santora.

Mr. SCHERER. What was that name?

Mr. DEQUINO. Bill Santora.

Mr. TAVENNER. He was on the stand here yesterday.

Mr. SCHERER. One of the leaders of the demonstration.

Mr. TAVENNER. Yes. He refused to answer material questions relating to Communist Party activity.

Mr. SCHERER. What do you know about Santora?

Mr. DEQUINO. I don't know much about Santora. I know he used to raffle off books and we had raffles at Communist Party headquarters.

Mr. SCHERER. Was he a member of the Communist Party?

Mr. DEQUINO. He couldn't get into the thing unless he was a member of the party.

Mr. SCHERER. Was Santora a member of the Communist Party?

Mr. DEQUINO. Nobody could get in. They wouldn't even let you bring your brother down there. You couldn't get in unless you had a card.

Mr. DOYLE. Mr. Scherer, was he the witness yesterday who, in answer to your question, said that he assisted in putting on the demonstration?

Mr. SCHERER. Yes, he is the one who took the fifth amendment and refused to answer when I asked him whether the funds for the payment of the buses and placards came from the Communist Party.

Mr. DOYLE. The newspaper the morning after said about 1,200 pickets were in the line and about 1,000 of them came from New York. That didn't leave very many from this immediate area, did it?

Mr. TAVENNER. Please continue.

Mr. DEQUINO. I left off with Bill Santora. We come to a young lady named Helen Dobish, D-o-b-i-s-h.

Then we come to another woman, young lady named Esther Engle, E-n-g-l-e.

Mr. TAVENNER. What was her position in the union?

Mr. DEQUINO. Esther worked up in the office and she was employed in the office pretty steady. She was there the longest of any girl that I knew and in fact Sprechman and her were very fond of one another to the extent a couple of times there was some commotions as to why she was constantly being kept on while other girls were laid off out of the union; in fact, there was a question of seniority raised. If I recall, one woman was in a little bit longer than her and resented the fact that she was being kept on out of seniority. Evidently they killed that and Esther got kept on. She was the stenog-

rapher-bookkeeper, everything. She was recording everything. She used to help make up leaflets and do everything. She worked hard in the union, she really did. She worked hard for the union and for the Communist Party.

Mr. TAVENNER. Proceed, please. Were there any others?

Mr. DEQUINO. Joe Alfone, A-l-f-o-n-e.

Mr. TAVENNER. Was he a member of your local union?

Mr. DEQUINO. Yes, sir.

Mr. TAVENNER. Did he hold any position in your local union?

Mr. DEQUINO. If I recall, I think he was a member of the executive board and then he also was a steward, but first he was a steward before he became a member of the executive board.

Mr. TAVENNER. He was a member of the Communist Party with you?

Mr. DEQUINO. He sure was.

Mr. TAVENNER. Do you know a person by the name of Elwood Dean?

Mr. DEQUINO. I sure do.

Mr. TAVENNER. Was he a member of the Communist Party in this same group with you?

Mr. DEQUINO. He sure was.

Mr. TAVENNER. Do you know what position he held with the union?

Mr. DEQUINO. I do not know but it was pretty high. He is a well-respected man in the party. Highly thought of too.

Mr. TAVENNER. Are there any others you can name?

Mr. DEQUINO. You just mentioned Elwood Dean. I will mention Jeanette Dean, his wife.

Mr. TAVENNER. Any others?

Mr. DEQUINO. Yes, we had a gentleman by the name of Bob Galina.

Mr. TAVENNER. G-a-l-i-n-a?

Mr. DEQUINO. I think that is correct.

Mr. TAVENNER. Was he a member of your local union?

Mr. DEQUINO. He sure was.

Mr. TAVENNER. Did he hold any office in your union?

Mr. DEQUINO. He sure had.

Mr. TAVENNER. What was that?

Mr. DEQUINO. Member of the executive board, steward, too, and I think he had something to do with the present newspaper, not only the Daily Worker but the local paper.

Mr. TAVENNER. He was a member of the Communist Party with you?

Mr. DEQUINO. He sure was and is.

Mr. TAVENNER. Proceed, please.

Mr. DEQUINO. Martha Stone.

Mr. TAVENNER. Was Martha Stone employed in your union?

Mr. DEQUINO. No.

Mr. TAVENNER. She wasn't connected with the union?

Mr. DEQUINO. No, sir. She was connected with the Communist Party.

Mr. TAVENNER. Was she a functionary of the Communist Party?

Mr. DEQUINO. Yes, she was one of the spearheads and leaders down there full time and always getting paid, too.

Mr. DEQUINO. Eddie Soshein.

Mr. TAVENNER. How do you spell that?

Mr. DEAQINO. I think it is S-o-s-h-e-i-n. Eddie Soshein. This guy played the game like a real hero, every time Sprechman would get in trouble on a motion on the floor this guy would wave the flag and I remember how he used to fool me, how he used to wave the flag telling everybody he was an ex-serviceman; how he seen people's skulls and bodies fly to bits over there; how we were fighting Sprechman when we should be concentrating on how to actually have a stronger and better union and all that kind of stuff, to the extent that some of the girls who had sweethearts and husbands in the Armed Forces would cool their heels and start to cry and sit down and vote in favor of the motion when just before they would be hollering and growling against it.

Soshein always waved the flag and got Sprechman—and I will go further. I recall we went to a house in Paterson and Eddie Soshein was an educator or director for a small school for kids and teen-agers teaching them all the activities of the Communist tricks and things of that nature, because I had to bring chairs there and I had to bring a big moving-picture camera which is now missing from the local. That thing cost about \$1,000 or more.

Mr. TAVENNER. Where was this school located?

Mr. DEAQINO. Someplace in Paterson. I know the street but I don't know the street by name.

Mr. TAVENNER. Was he a member of your local?

Mr. DEAQINO. He was a member of our local.

Mr. TAVENNER. Did he hold any office in your local?

Mr. DEAQINO. Only as more or less steering people away from confusion, things of that nature. That is all I can remember of Eddie Soshein as far as that is concerned.

Mr. TAVENNER. He was a member of your group of the Communist Party?

Mr. DEAQINO. Not a member of our Communist Party group. Might have been in a higher cell but he told me himself he was a member of the Communist Party. Otherwise he could not have that position. He also told me if I was interested he would see to it that I could get a position up in the higher brackets, too.

Mr. TAVENNER. Higher brackets in the union or higher brackets in the Communist Party?

Mr. DEAQINO. Higher brackets in the Communist Party.

Mr. TAVENNER. Proceed, please.

Mr. DEAQINO. I saw a picture of Archer Cole in the newspaper, laughing. He was also a member of the Communist Party.

Mr. TAVENNER. Was Cole a member of your local union?

Mr. DEAQINO. No, sir; he was a member of the Communist Party where we had meetings. He sat there at many conferences that we had. He sat there and tried to sell us different pamphlets and books just like Walter Barry, Bill Santora, and numerous others.

Mr. TAVENNER. And Martha Stone?

Mr. DEAQINO. Yes.

Mr. TAVENNER. In other words, he was a functionary of the Communist Party?

Mr. DEAQINO. He certainly was.

Mr. DOYLE. Is that the witness yesterday, the young man who took occasion to make a considerable speech and also of course pleaded the fifth amendment?

Mr. SCHERER. Yes; he testified yesterday.

Mr. DOYLE. I think he was the witness I gave more than the usual opportunity to make a speech.

Mr. TAVENNER. He testified he was an organizer for the UE, district 4.

Mr. DOYLE. That is right. He was anxious to make a record which he could have reproduced and circulated among the Communists to show he had been a brave hero before this committee so that I thought I would let him do it.

Mr. SCHERER. Do you see Archer Cole in the courtroom?

Mr. DEAQUINO. Sure. I thought I saw him walking in before. He is right in the back there. Is it all right for me to point?

Mr. SCHERER. Yes.

Mr. DEAQUINO. Why don't you ask him to rise.

Mr. SCHERER. He was not a member of the union but was he a functionary of the Communist Party?

Mr. TAVENNER. He was an organizer of the UE as he testified yesterday.

Mr. SCHERER. But was he a member of the Communist Party also?

Mr. DEAQUINO. Sure; definitely.

Mr. SCHERER. An active member of the party?

Mr. DEAQUINO. He was there first, rain or shine.

Mr. TAVENNER. You mentioned the name of Walter Barry. Was he a member of the Communist Party in your group?

Mr. DEAQUINO. He certainly was, just like Archer Cole and the rest of them. In fact, he was more vicious, I think.

Mr. TAVENNER. Was he in your local?

Mr. DEAQUINO. No, sir. He was a district representative and he worked out of the district and also the Communist Party headquarters.

Mr. TAVENNER. You say the district?

Mr. DEAQUINO. They worked out of different unions, too, different locals.

Mr. TAVENNER. You said he worked out of the district. Do you mean the district headquarters of the UE?

Mr. DEAQUINO. District 4, UE.

Mr. TAVENNER. Do you know where Walter Barry is now?

Mr. DEAQUINO. Last I heard he was upstate in New York, but I understand that he smuggles himself into Toms River once in a while.

Mr. TAVENNER. How long ago was it that you heard he was in New York?

Mr. DEAQUINO. Quite some time back I heard he lost himself out in the country. I believe he must be with Connie Duvac upstate New York because Connie Duvac when he left the factory told people he was going to engage himself in farming. He was going to buy a big farm upstate New York. He may be with Connie because they were bosom pals.

Mr. TAVENNER. Are there others who were members with you in that group of the Communist Party?

Mr. DEAQUINO. Emil Asher used to be editor of the local 447 newspaper and also attended Communist Party meetings from time to time, not so much as others but he was there. I think Emil Asher more or

less functioned to babysit for his kid at that time and also do as much as he could to be active.

Mr. TAVENNER. Did he hold any position in your local union?

Mr. DEAQINO. I was surprised to hear that he was the actual editor for our newspaper although he was business agent or business manager for a local up in Paterson or Clifton, N. J. which I don't know what they call it, the Pneumatic Corp. of some kind but outside of that I haven't too much background on Asher.

Mr. TAVENNER. Did most of these persons who were paid officials of the UE work in the shops before they became employed by the UE?

Mr. DEAQINO. Such as whom?

Mr. TAVENNER. Isn't it true that people are often elevated from the shops to a position in the union? Was true in many of these instances.

Mr. DEAQINO. I will check the record. Only ones I know of that stemmed from the shop that I can give you a real clincher on, and honest one is Sam Verano. Connie Duvac from time to time did district work off and on and so did I suppose Bob Galina from time to time. They used to tell us they had to go down to the district but when they used to leave the shop, we used to see them with their coats and hats on running out and they used to say "We are going out to the district."

I have another name here. I want to do this right and go whole hog or not do it at all. We have another gentleman named Tony Sinna. And that is the last of the group.

Mr. TAVENNER. Was he a member of your local union?

Mr. DEAQINO. He was a member of the union, he worked up in Federal Telephone & Radio Corp. He was also a member of the party.

Mr. TAVENNER. Did he hold a position in your union at any time?

Mr. DEAQINO. No, he did not. No.

Mr. TAVENNER. Will you tell us what became of these officials after their defeat in the election which you described?

Mr. DEAQINO. I found out lately that Joseph Sprechman had died from the stroke or heart attack. Gabe Bloksberg is no longer with the company. Sam Verano I understand is up in Sky Lake, N. Y. some place, Communist education school—summer resort for the Communist. Bill Santora didn't come from our place. Helen Dobish actually became a mother and left her job. Esther Engle is no longer connected with our union office. Joe Alfone I believe is no longer with the company. Our company is big and some people get laid off one department and they take them to another shop where they have seniority in the same classification.

Bob Galina is no longer with the company because he refused to sign a non-Communist affidavit. Bob Galina refused to sign a non-Communist affidavit.

The company engaged itself in some kind of secret war work and had to screen some of the employees and Bob Galina fought this with the union until the company had to discharge him or he left of his own accord. I wouldn't say discharged, maybe he left of his own accord for refusing to sign a non-Communist affidavit.

Mr. SCHERER. Some of the witnesses we had the other day did not find it too difficult to sign those non-Communist affidavits. They would resign in the morning and sign a non-Communist affidavit in the afternoon.

Mr. DEAQINO. It is possible, sir.

Mr. DOYLE. I think you are referring to witnesses who wouldn't answer the question as to whether they told the truth when signing the non-Communist affidavits.

Mr. DEQUINO. Tony Zinna, I understand, has a \$7,500 a week job in the city of Newark. That is more than I make.

Mr. TAVENNER. Are you talking about a weekly or yearly salary?

Mr. DEQUINO. That is a yearly salary. Yes, supposed to be yearly, if he made that much a week I would stick him up.

Mr. TAVENNER. Have you been connected with the Communist Party in any way since you left it after assisting and working in that fight against Communist leadership in your own local?

Mr. DEQUINO. I wouldn't think you would ask me that question because once you are a traitor to these guys and betrayed them, you are through. You don't naturally go with them no more unless you want to change your testimony or want to get killed in some way or another—frame you somehow—maybe while you are serving on the picket line you may get a shot in the head or some other damn thing. I never affiliated myself with them after I broke with them. I broke clean. Wouldn't go back with those people if it was the last thing on earth, I would rather get shot.

Mr. SCHERER. You were never a Communist; you joined the Communist Party to get information to help your union, is that right?

Mr. DEQUINO. That is right, Joe Sangene and I made this thing up mainly for Joe's sake and mainly because of the fact that Joe and I and Bill Garrigan and Licato, Leopoldo—and I don't remember the kid's name—Jule Kolovetz, Herman Tobaso, and numerous others we had put up a slate to run against them and we defeated them and wanted our own people to actually control the union.

We wanted to control the union ourselves because we knew it wasn't being done right. We have seen people from time to time shoved and shoved under the seniority list because of the fact that were either members of the Communist Party or Federal Club; they saved their jobs where good decent citizens had to be laid off. In many cases I can still prove—I think I have the records home yet on those cases—where some people's seniority was tampered with.

Mr. DOYLE. Do you mean the Communist Party controlled the UE Union, to the extent of interference and violation of union rules to protect and give preference to members of the Communist Party over union members who were not members of the Communist Party?

Mr. DEQUINO. They did; in fact, where they actually thought they could do it and get away with it, where they actually thought a person couldn't understand or where they could make them understand to suit their purposes or put across what they wanted to. We found many records, we have plenty of records of so many things that would be amazing and shocking to the people in the labor movement and to the people in the State of New Jersey.

Mr. DOYLE. The committee will stand in recess for 5 minutes.

(Brief recess.)

Mr. DOYLE. The committee will recess about 12:15 until 1:30 or thereabouts today. I stated in my opening announcement that we often receive the cooperation of the citizens in the locality where the committee is holding hearings. I have a signed communication mailed to me from a citizen of Newark containing very valuable information. Evidently some people in Newark are very anxious to clean out the

Communist conspiracy. We haven't as yet been in touch with the writer.

I want to say if any of you come to the point where you are willing to place your Nation ahead of your own temporary inconvenience like the present witness, putting his country ahead of his own personal interests, the committee will be glad to cooperate with you.

Mr. Tavenner, you may proceed.

Mr. TAVENNER. Mr. DeAquino, do you know whether this was the first instance in the State of New Jersey where a local of the UE was able by an election to throw off the Communist control of a local?

Mr. DEQUINO. Mr. Tavenner, to the best of my ability, and I never heard it being done before. We were congratulated by certain officials of the police department and one good friend of mine, I forgot to remember him, he really gave me a big helping hand too, that was Matthews, Edward Matthews I think it is, who worked for Scolani who was very cooperative in the matter and who asked me to get in touch with Tom Gallagher, a newspaper reporter, and Tom Gallagher was helpful to me. I think we were the first to start the fight in the UE on the eastern seaboard. That is, any local who started from there on after was actually coached and trained by us. We went out after we got together with the new IUE district representatives, International Union Electricians—don't get that wrong—that is, Milton Weirach and the rest of the group down there and some are not there now, but they were there then—and we carried on the fight for the different locals who wished to do the same as we. We started to form little caucuses we will say in the national union, started little caucuses in general election, started little caucuses of different groups of people in Westinghouse. That took a lot of money because you can't get people to come down just to hear you talk. Most of the places where we had these meetings were over taverns and in taverns and things of this nature where we could talk about these things over a glass of beer and some other things.

It got to the point we struck one plant where we found some real gorillas, supposed to be, FADA Radio Corp.; we didn't get much assistance there but they met us with a bus load of New York workers who were told prior to our being there that we were going to be there that morning, don't know how it got out.

Jule Kolovetz was with me and I think Jimmy Costello was with me on that trip, there were 3 or 4 of us and we went there. They intended to push us around. In other words, they wanted to resort to violence. Of course I told them that as far as that was their game, that was my game too. So at that point one of the chief stewards, I don't recall his name, he came out and knew me to be a Belleville boy for quite some time because my parents lived in Belleville for quite some time, until they were deceased. He said, "I am a member of the Belleville Police Department and I know you and I don't want you to engage yourself in any fracas or fisticuffing in front of the plant because you make it bad for me."

He had this guard's job while he wasn't doing police duty. So evidently I didn't want to hurt him in any way so we didn't engage in any fisticuffing and they didn't want to engage in any fisticuffing. We felt the best way we could infiltrate ourselves into the plant, was when we found FADA Radio was hiring people and at that time

our people were being laid off. We encouraged our people who had helped us in our fight to take jobs in FADA Radio. They did and formed little groups and cliques and these guys started hollering blue murder to management and some getting fired and we were taking them back at our place.

It was back and forth so nobody would stay out of work until finally I believe they penetrated it, I don't know. I think they did because after that I was going to other things and that was it.

In other words, I just couldn't take much more of it because it was too much night after night and had been a big fight with our local and my wife got sick and we had gotten a new increase in the family and my second child had been born with an obstructed stomach and that took a lot of attention and care and my wife became a nervous wreck and got a nervous breakdown over it; and I had to stay home and assist her but I was always manufacturing and mapping out strategy to proceed in the daytime without actually being out of the house at night.

Mr. TAVENNER. You told us in connection with your wife's nervous breakdown that someone had telephoned her that you were in the city of New York with a blonde.

Mr. DeAQUINO. It wouldn't be only a blonde, it would be with any woman; they would manufacture some darned story.

Mr. TAVENNER. On the night that telephone report was made to her, did your wife telephone someone for help to find you?

Mr. DeAQUINO. Yes, she called up Jule.

Mr. TAVENNER. Was that your friend Jule Kolovetz with whom you were working?

Mr. DeAQUINO. Yes, she called him up and I think Jule told her not to worry that I was—that everything was okay; I wasn't out with any other woman and I was nowhere in New York.

Mr. TAVENNER. In fact, you were with Kolovetz at the time?

Mr. DeAQUINO. Yes, I was right next to Jule. I even told her—I said if you want me to talk, I will talk to you over the phone.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. SCHERER. I have no questions except after a witness such as Mr. DeAquin I feel that I should comment.

Mr. DeAquin, I know that you are the most effective witness that I have listened to since I have been a member of this committee during the past 3 years. There is no question that you are a fine American, no question that you are a credit to the union movement in this country. I wish there were more people like you.

I think the members of this committee more than most people can appreciate the abuse and the smears that you took in your fight to rid your union of the Communist influence. I think we can appreciate the treatment that your family received. We know something of the Communist tactics in that respect. We have had a little experience ourselves because to some extent we are engaged in the same fight that you were.

I am at a loss for words to express the appreciation of the committee and Congress for the splendid service that you have rendered to your country. If there were more individuals like you I don't think we would need a Committee on Un-American Activities in the Congress of the United States.

My only regret is that there are many fine people in organizations in this country who are taken in by some of the propaganda that emanates from the Communist conspiracy in their attitude toward the problem and toward the investigations that we are conducting and toward the job that we are trying to do, namely, to acquaint the American people with some of the things that you have told us today, and how this conspiracy operates, so that people may know and may recognize it when they see it work in the shop or in the school or in any activity of American life. I congratulate you and thank you for your testimony.

Mr. DOYLE. As chairman of this subcommittee, Mr. DeAquino, I want very briefly to supplement what my distinguished colleague from Ohio said; I use his words as my own without repeating them. I know that several members of the UE including some district representatives are present in the courtroom, and some of you pleaded the fifth amendment. I would think that every member of the UE in the courtroom who heard this testimony—assuming you didn't know the truth before—you know it now.

I am going to do this, Mr. Tavenner, and Mr. Scherer: if there are any paid officials or representatives of the UE present who want to take the witness stand and deny anything this witness has said, we will give you the opportunity.

You talk about the right of opportunity to contradict and disprove. I will give to you members of the Communist Party who yesterday pleaded the fifth amendment, officials of the UE, the opportunity today to take the stand and deny under oath any of the statements of this witness.

I think you people who are not in the UE and are American citizens have heard enough from this American of Italian ancestry to make your blood boil. Yesterday these UE officials stated that the UE was the most democratically controlled union in the country. Then you hear this witness and others under oath show how the UE right in this district has for years been controlled by this bunch of Communist conspirators who place the Communist Party objectives ahead of the best interests of the UE union for the purpose of controlling it for Soviet purposes and totalitarian leadership.

Mr. DeAquino, I want to again thank you and wish you and your fine family well. I know Mrs. DeAquino is very happy that you are okay, and we will report your great contribution to all of our fellow members on the committee and in Congress. The testimony you have given today will be printed, as will all the hearings, and will be available for public use.

Mr. DEQUINO. Is that all?

Mr. TAVENNER. That is all. You are excused.

(Whereupon the witness was excused.)

Mr. Jules Kolovetz.

Mr. DOYLE. Will you please stand and raise your right hand? Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KOLOVETZ. I do.

Mr. DOYLE. Thank you. Take a chair, please.

TESTIMONY OF JULIUS KOLOVETZ

Mr. TAVENNER. What is your name, please, sir?

Mr. KOLOVETZ. Julius Kolovetz. K-o-l-o-v-e-t-z.

Mr. TAVENNER. Mr. Kolovetz, it is the practice of the committee to advise all witnesses that they are entitled to counsel. Do you desire counsel?

Mr. KOLOVETZ. No, sir.

Mr. TAVENNER. Will you tell the committee when and where you were born?

Mr. KOLOVETZ. Cleveland, Ohio, April 7, 1913.

Mr. TAVENNER. Do you live in the area of Newark?

Mr. KOLOVETZ. Yes, sir.

Mr. TAVENNER. How long have you lived in New Jersey?

Mr. KOLOVETZ. Forty years.

Mr. TAVENNER. Will you tell the committee what your educational training has been.

Mr. KOLOVETZ. Grammar school and graduated from Brunswick High School, New Brunswick, N. J.

Mr. TAVENNER. Have you ever been a member of the UE?

Mr. KOLOVETZ. I have.

Mr. TAVENNER. Over what period of time?

Mr. KOLOVETZ. From March 1943 up to July or August 1948.

Mr. TAVENNER. Where and how were you employed when you first became a member of the UE?

Mr. KOLOVETZ. As a millwright at Federal Telephone & Radio Corp.

Mr. TAVENNER. At which plant?

Mr. KOLOVETZ. I was employed at the Orton Street plant.

Mr. TAVENNER. While employed there you became a member of the UE. Did you at any time hold a position within the UE?

Mr. KOLOVETZ. Steward and executive board member, both.

Mr. TAVENNER. Over what period of time were you a steward?

Mr. KOLOVETZ. I think it was in 1945.

Mr. TAVENNER. For how long a period?

Mr. KOLOVETZ. One year.

Mr. TAVENNER. Then you became a member of the executive board?

Mr. KOLOVETZ. Yes, sir.

Mr. TAVENNER. How long did you serve as a member of the executive board?

Mr. KOLOVETZ. About 3 years.

Mr. TAVENNER. Around 1948 or 1949?

Mr. KOLOVETZ. Yes; just before that.

Mr. TAVENNER. Were you a member of the executive board until you left that union?

Mr. KOLOVETZ. No, I was purged. I wasn't allowed to run any more because I opposed them.

Mr. TAVENNER. I do not want to repeat any more than necessary the testimony of the former witness, but were you associated with Mr. DeAquino in activities within your local?

Mr. KOLOVETZ. Just about everything he did.

Mr. TAVENNER. What was the number of the local?

Mr. KOLOVETZ. UE 447, United Electrical, Radio and Machine Workers of America.

Mr. TAVENNER. Did you go into the Communist Party at his request to do a particular thing?

Mr. KOLOVETZ. I did, sir.

Mr. TAVENNER. What was your reason for going into the Communist Party?

Mr. KOLOVETZ. Well, my one big reason was we were trying to do a job for 5 or 6 years, more or less we never had an accounting for funds, that was No. 1. We figured everything was being railroaded through in the local. You could never attend a decent meeting. If you got up and opposed the officials, you were more or less browbeat all the time. Well, one thing I had against them—we always had a dollar assessment for nonattendance of meetings. We would have a rough time of getting a quorum together which amounted to 250 people out of an employment on an average over those years of roughly, I would judge 50,000 members. But as far as the dollar assessment there was never an accounting for that. Where the money went nobody knew. We all had good ideas where it was going but none of us were aware—were able to put our hands on anything concrete.

Year after year we put up people to oppose these officers on the opposition slate. We would get terrific beatings, they would have their own judge of elections, their own trustees. You couldn't—you could never win an election up until the year we hired the Honest Ballot Association.

The movement started back, I think in the latter part of 1946 where a few of us boys got together. But to get back to my story, Joe Sangene happened to be business agent at that time and every night after work there would be meetings held in a secret chamber where Sangene was excluded. Sangene was a very good friend of ours. Well, we got together one evening, in fact it was at my house, most of these caucuses were held at my house. We decided to do something about it. The only way we could do anything about it was to have somebody on the inside. Tony happened to be on the inside. He was bringing us information week after week and finally started worming my way in a little bit, being a good friend of Tony's, he was very well liked by the business manager, Joe Sprechman; he is now dead.

We figured two of us in there can get the proper information that we need to start a campaign. So we finally got the data and I was the one to be picked on to expose them.

I exposed them in our paper. We attended a meeting. That same month we attended a meeting at the Wide-Awake Hall. I was called everything. I was at that time sergeant-at-arms. I didn't say a thing until after the meeting broke up and Gabe Bloksberg came by the door.

Mr. TAVENNER. Who was that?

Mr. KOLOVETZ. Gabe Bloksberg came by the door after the meeting was adjourned. I called him and I says "Now you call me now what you called me inside."

Mr. TAVENNER. Did he do it?

Mr. KOLOVETZ. Yes, him and about 30 friends jumped me. But they were a little sorry and it was over. So they threatened me. In fact, I carried a gun for over a year without a permit. They threatened me, they threatened Tony and believe me I don't think any of them got any guts man to man. In a mob, yes, anybody has got a lot of

guts, but they jumped me that night. We held caucuses, that was before election, before we really put on our campaign, that was the break. So we started having caucuses.

Mr. TAVENNER. Was that in 1948?

Mr. KOLOVETZ. Yes, it was in 1948. I don't know the month. Early part of 1948, I would say fourth or fifth month, somewhere around there or so.

We held caucuses. One night at my house we were having a meeting and Tony's wife calls up, she was crying, and hysterical. I said what is the matter. She says "I just got a phone call Tony is in some hotel room with some blond and this person is going to pick me up to take me down there."

I says "That is good. I ought to be with him." Tony was alongside of me. "It so happens Tony is right here," I said. "Do you want to talk to him?"

He picked up the phone and talked to his wife. That kind of settled things down. We told her to pay no attention to calls. Because if they called my wife she would say God bless him, he will come home when he is hungry. His wife is a little different.

Mr. TAVENNER. Tell the committee about the methods used by the Communist members in this group with which you and DeAquo were associated. Where were these meetings of the Communist Party held?

Mr. KOLOVETZ. I have attended meetings at Brantford Place, I don't know the number, I think it was 50, second floor, Communist Party headquarters anyway.

And they moved, I attended 4 or 5 meetings up there and they moved from there I think it was No. 8 Park Place. I never attended a meeting at Park Place but I know they moved.

Mr. TAVENNER. Did people who were not members of your local attend these Communist Party meetings at Communist Party headquarters?

Mr. KOLOVETZ. Yes; that is right.

Mr. TAVENNER. Did functionaries of the Communist Party attend these meetings with your union members?

Mr. KOLOVETZ. That is right.

Mr. TAVENNER. What occurred at these Communist Party meetings that you attended?

Mr. KOLOVETZ. The biggest part of the meetings was taken up to get members in, get more members. They would have a quota, one month it would be set for 10 and the next month for maybe 30. Out of that they would grab maybe 2 or 3 for the whole quota.

Mr. TAVENNER. Do you recall whether your local's funds were used at any time for Communist purposes; that is, outside of your own local affairs?

Mr. KOLOVETZ. When I was on the executive board I know time and again at the Walt Whitman school.

Mr. TAVENNER. What is that?

Mr. KOLOVETZ. Walt Whitman school. I don't know whether it is a Communist school or not, I don't know—but funds were donated for that. For the Daily Worker, funds for that. We have also given funds to a summer camp at Sky Lake. I have never been up there. I don't even know where it is.

Mr. TAVENNER. Do you know whether that camp was conducted by your local of the UE as distinguished from the Communist Party?

Mr. KOLOVETZ. It was a camp that was run by the UE. As far as I know.

Mr. TAVENNER. You say funds were paid for the Daily Worker?

Mr. KOLOVETZ. That is right.

Mr. TAVENNER. How did it happen that you used the local's funds to pay the Daily Worker?

Mr. KOLOVETZ. Well, there was so much—I remember quite a few instances \$50 and \$75 sent there to the Daily Worker. I don't know whether it was for subscriptions or advertisements but we used to get quite a few of them, a nice bundle of them anyway.

Mr. TAVENNER. Did you in return get any large number of copies of the Daily Worker?

Mr. KOLOVETZ. Yes, sure.

Mr. TAVENNER. What was done with them?

Mr. KOLOVETZ. Well, a few of us would have the job of getting into the plant an hour early and throw them on everybody's workbench, distribute them throughout the plant. Some people read them, others threw them away. Then during our campaign when we were fighting these birds we used to get a bundle of papers and there would be certain people picked, some to distribute papers at Westinghouse, some to go to General Electric, early in the morning—and if you don't think it is humiliating to stand on the corner handing out Daily Workers and having people throw them back at you and cursing at you—we had to get their confidence. That was one of the ways and we had to do it. A few of us were very embarrassed but we did it. It took us a long time. I can say one thing that our local has done a wonderful job to get rid of them here in the East.

Mr. TAVENNER. As a result of the information that you and Mr. DeAquino secured, was a successful fight conducted within your union to get rid of the officers in your local who were members of the Communist Party?

Mr. KOLOVETZ. That is true, it helped, I will say that. We had an awful lot of gullible people in the shop. At meetings a certain party would get up and say "I have been a member of the Communist Party for 35 years, but I am doing a job for you people. I have done this for you or done that for you." People went for that. He did—he did do a job. But in the meantime he was also doing a job on us. Helped us on one hand and took it off us with the other.

Mr. TAVENNER. Did you withdraw from the Communist Party at the same time that you began this fight against the Communist leadership in your local?

Mr. KOLOVETZ. Oh, yes.

Mr. TAVENNER. No doubt about that?

Mr. KOLOVETZ. We withdrew before that, about a month before that to get our groundwork set up. There was no doubt there. We took lots of abuse, slander, threats.

Mr. TAVENNER. Who were some of the officials of your local union who were members of this group of the Communist Party?

Mr. KOLOVETZ. Well, one was Joe Sprechman. He is now dead. He is self-admitted. Another one, he was not an officer but he admitted he belonged to the party for 18 years, Gabe Bloksberg. Connie Dubac. He was president of the Federal Club, which was a cell. Helen

Dobish, she was I guess you would call her secretary or treasurer. She collected dues at the meetings.

Robert Galina was a secretary. He would write out the letters of when meetings were being held and where. Martha Stone, Elwood Dean.

Mr. TAVENNER. Was Martha Stone in your local union?

Mr. KOLOVETZ. Oh, no.

Mr. TAVENNER. Was she a member of this club of the Communist Party?

Mr. KOLOVETZ. Yes; she chaired the meetings lots of times. Elwood Dean's wife, Jeanette Dean.

Mr. TAVENNER. Were you acquainted with Archer Cole?

Mr. KOLOVETZ. Well, the only way I was acquainted, I have seen him attend meetings. They were district meetings. I was a district delegate and we used to hold meetings during the day. I don't know offhand the number but it was on Halsey Street. He attended meetings.

Mr. TAVENNER. What kind of meetings were these?

Mr. KOLOVETZ. They were district meetings.

Mr. TAVENNER. Of what?

Mr. KOLOVETZ. UE, district 4.

I don't know whether you would call them Communist meetings or not, but an awful lot of them were there. It was what we can do to disrupt this and what we can do at the next place to disrupt that. One thing after another. It was always a company that the fight was waged against. I remember in 1947 it was—when a company locked us out because of their dirty tactics, instead of negotiating they made people wear signs all through the plant. For that reason—

Mr. TAVENNER. Who made the workmen wear signs?

Mr. KOLOVETZ. The business manager at that time, Joe Sprechman, told us to put on signs and carry them, all kinds of digs against the company and the company didn't approve of wearing signs while you are working or pasting them on walls, union propaganda.

We were asked to remove the signs and those that did not were sent home. They finally sent enough of them home to cripple the plant. And the company closed us out, unless we would sit down and negotiate decently without wearing signs.

Finally it was a 7-week lockout and finally they sat down and negotiated and it was I think about 48 hours later everything was all settled.

Mr. DOYLE. What group decided to have the workmen wear the signs while they were on the job?

Mr. KOLOVETZ. I guess it come down, I don't know whether it come down from the executive board or just from the business management and president.

Mr. DOYLE. Do you remember if that matter was discussed in the Federal Club by the Communist Party members of the union?

Mr. KOLOVETZ. I don't remember that.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Mr. Scherer.

Mr. SCHERER. I have no questions except to repeat briefly what I said to the previous witness that I think you are to be congratulated on the fight you made within the union to eliminate Communist domination of that union. You are a credit to your country and a credit to the union.

You engaged in the fight at a time when I know that it was difficult to do so and the pressures against you were great at a time when you didn't have too much help. The committee appreciates your testimony and cooperation.

Mr. DOYLE. I want to supplement Mr. Scherer's remarks by adopting them as my own and as chairman to thank you.

I want to ask one question: Was the Communist Party cell at the plant in control of union affairs of local 447, UE at the time that you instigated this free election?

Mr. KOLOVETZ. Yes, sir.

Mr. DOYLE. I notice you say that very positively. Now was there another date later when the Communist Party regained control of the union at that plant?

Mr. KOLOVETZ. Well, after the elections there was no doubt about it; they left like drowning rats.

Mr. DOYLE. So far as you know did the Communist Party group ever regain control of that particular union?

Mr. KOLOVETZ. Never.

Mr. DOYLE. I want to ask you this question, and I have never talked with you in my life, we have never even shaken hands?

Mr. KOLOVETZ. That is right.

Mr. DOYLE. You are well qualified to answer this question and to express an opinion because of your experience both as a union member and as a Communist Party functionary, even though you were a phony Communist for a patriotic purpose. As you learned them, are the objectives of communism and the Communist Party and the objectives of organized labor one and the same thing?

Mr. KOLOVETZ. No; I would say no.

Mr. DOYLE. You would say not?

Mr. KOLOVETZ. No, they are not.

Mr. DOYLE. Could an American workman be a loyal union member and at the same time follow the dictates of the Communist Party in America?

Mr. KOLOVETZ. You mean could he be?

Mr. DOYLE. Yes.

Mr. KOLOVETZ. No.

Mr. DOYLE. Do you mean he could not be a loyal union member and at the same time be a Communist Party member?

Mr. KOLOVETZ. No, sir.

Mr. DOYLE. Why not?

Mr. KOLOVETZ. Well, for one thing a good union member looks out for all the workers and not just for a few. And a good union will also have a treasurer, which we never had. Where the money went nobody knows. I know that there are lots of good unions around and if you look at their treasury they have quite a bit of money. You take an average of 5,000 people at a dollar and a half per member over a period of 7 years, this is over \$6,000 per month and over a period of 7 years.

Mr. DOYLE. Do you mean you could not get an accounting of that money?

Mr. KOLOVETZ. No.

Plus your dollar assessment for nonattendance every meeting which amounted to—the largest crowd I remember was during the negotiations, we had 1,200 or 1,300 people at a union meeting and that was

exceptional. It was a very large crowd. Like I said before, we had quite a problem of getting a quorum because the bigger the crowd the less chance they have of running the meeting.

Mr. DOYLE. I remember you said that 250 members out of 5,000 members was about the most you could get.

Mr. KOLOVETZ. That is right.

Mr. SCHERER. With the evidence that we have had before us, of the complete domination of this local by the Communist Party, reasonable minds could come to only one conclusion, that these funds which disappeared were used as in other cases we know about for support of the Communist Party unknown of course to the rank and file of the members.

That is one of the objectives of this committee. To point out to rank and file members of these very few unions that have been Communist dominated; rank and file members who are loyal Americans, what has happened to the contributions they have made and how their own union is being used by a few members of the Communist conspiracy who had been able to gain control of these unions. For instance, the other day we tried to point this out to the people who were contributing to the Civil Rights Congress because they were misinformed or misled as to the purposes of the Civil Rights Congress.

Many people were giving funds, where they otherwise wouldn't give funds to the support of the Civil Rights Congress. They didn't know that the Civil Rights Congress and the Communist Party were almost synonymous and that those funds, some of which came from union members also, were being used to support the Communist Party and support bail funds for individuals who were not only Communists but who had been charged with violating the laws of this country.

Mr. DOYLE. Did you hear your friend, Mr. DeAquino, testify?

Mr. KOLOVETZ. I heard the latter part of it.

Mr. DOYLE. I wrote down here his exact words of a brief statement. He said they owned the union, referring to the Communist Party, "They owned the union lock, stock, and barrel and did anything they wanted."

Is that a true statement of the condition of the UE local 447 at the time you and Mr. DeAquino went into the Communist Party as phony Communists in order to uncover their conspiracy and totalitarian control of the union for their own despicable Communist Party purposes?

Mr. KOLOVETZ. It is very true.

Mr. DOYLE. That is very true?

Mr. KOLOVETZ. Yes, sir.

Mr. DOYLE. I assume, sir, that you will be called a stoolpigeon by some of the men that are in the room today. Yesterday I noticed some of them described a friendly witness who testified to help their country as a stoolpigeon. You also will be called a stoolpigeon. Of course you are used to that.

Mr. KOLOVETZ. I have been called worse than that.

Mr. DOYLE. Well, so have I, by this same gang. That is O. K. with me.

Have you been paid or offered any money or any inducement to come here on your own time to testify?

Mr. KOLOVETZ. No, sir.

Mr. DOYLE. Why didn't you bring a lawyer with you?

Mr. KOLOVETZ. I don't need one. What do I need a lawyer for? I am not ashamed of anything I did. I don't have to have anybody defend anything I did.

Mr. DOYLE. I have never talked with you and do not know what your answer will be of course, but because my boy fought for it I am also interested in knowing if there was an American flag in the Communist Party headquarters.

Mr. KOLOVETZ. Never.

Mr. DOYLE. Never?

Mr. KOLOVETZ. I have never seen one.

Mr. DOYLE. Mr. DeAquino testified that they put up a Russian flag in the Communist Party headquarters. Did you see that same Russian flag in Communist Party headquarters?

Mr. KOLOVETZ. Yes, sir.

Mr. DOYLE. Here in Newark?

Mr. KOLOVETZ. I also saw a picture of President Roosevelt hanging near the latrine. I have seen Lenin's and Stalin's picture at headquarters hanging right in the meeting room.

Mr. DOYLE. In other words, the picture of Stalin of Russia was given the favorite place in the Communist Party headquarters.

Mr. KOLOVETZ. Over our President.

Mr. DOYLE. And the picture of that great American, Franklin D. Roosevelt was put as close as it could be to the gentlemen's latrine?

Mr. KOLOVETZ. That is right.

Mr. DOYLE. That is in keeping with the Communist Party philosophy because I heard and you heard one of their present UE leaders typify this Government as a tyranny yesterday.

I want to thank you, too, sir, and wish you and wish your family well and extend you the congratulations and appreciation of all of the House of Representatives because I know that when we report your cooperation they would also like to thank you if they could. I do it in their behalf.

The witness is excused.

(Whereupon the witness was excused.)

Mr. TAVENNER. Mr. Chairman, may I recall Mr. DeAquino for 1 or 2 questions?

Mr. DOYLE. While Mr. DeAquino is coming. I want to renew the same offer and invitation I made when Mr. DeAquino left the stand, and while he was in the courtroom. I again renew my offer to you UE leaders, former UE leaders or any one present in the courtroom if you want to take the stand and deny under oath the testimony of either of these two gentlemen and submit to questioning by the committee, rise and give us your name. In fact, we will stay in during the noon hour to hear you. We won't even go to lunch, so that you will not lose time.

Mr. SCHERER. Under the rules of the committee anyone who wants to dispute any testimony given before this committee or any one who feels he has been harmed has the right to come before this committee, and ask for an opportunity to explain, deny, or affirm any testimony given. Of all of the thousands of identifications made by witnesses before this committee how many have taken advantage of these provisions in the rules or such offers as made by Mr. Doyle?

Mr. TAVENNER. I believe maybe 1 or 2.

Mr. SCHERER. I would say 3 or 4 and I know 1 or 2 have been sent to the Department of Justice for determination as to perjury.

TESTIMONY OF ANTHONY DeAQUINO—Resumed

Mr. TAVENNER. Mr. DeAquino, can you recall any instances when money belonging to the local union was used for Communist Party things which it was endeavoring to get your union to use?

Mr. DeAQUINO. I am glad you brought it up because evidently a lot of people don't understand some of the ways that they actually take up the collections.

As I said before, most of these donations and collections supposed to be taken up for any specific person they desired to do so for, were actually taken up, first it was brought up in the party. Like, for instance I will give you a real highlight of what I mean.

For instance, the trouble that Eisler—his first name was Gerhardt. I think in the party they resent it very much because the United States Government was chasing after him whereby he—I don't know, he sneaked out of the country somehow—I know he wasn't deported. But whatever that was, something happened to that effect. They drew a big rally in Newark and from the Communist Party they actually endeavored to get as much money as possible to actually furnish him, furnish counsel for him and everything else and things of that nature.

Does that answer your question?

Lots—if it was first any collection that was supposed to be taken for any specific purpose whatsoever and any of the ones that were actually drafted up from the Communist Party were for people who had some Communist affiliation or some way or another had been or still are Commies.

Mr. TAVENNER. How were the collections taken by the Communist Party?

Mr. DeAQUINO. It would come to stewards council and executive board of the union and from there would be to the membership where these guys would ballyhoo this thing up that poor Eisler was going to get killed in this country, that more or less the people in this country were dragging him all over the streets and he had to have all kinds of funds to protect him, a place to live, something to eat, give him money to live on. They created hysteria on everything that had to be done—on anything to be done to help any Communist cause.

Mr. TAVENNER. When the matter was taken to the rank and file members were they asked to contribute individually, take it out of their own pocket?

Mr. DeAQUINO. Sure, a lot of them was asked individually and they would go to the executive board and ask for a special donation that would come out of the union funds.

Mr. TAVENNER. That is what I wanted to find out. Was money paid out of the union funds also for that purpose?

Mr. DeAQUINO. Definitely. Money was paid out of that union fund for a lot of things. I would like to say this: In conjunction with Gerhardt Eisler I recall another instance.

A gentleman by the name of Marzani got in trouble with the United States Government and they poured a lot of money into that.

Mr. TAVENNER. Who put a lot of money into that?

Mr. DEAQINO. The Communist Party played that up big—they actually got people to donate money right from within the Communist Party down into the rank and file member of each UE local.

Mr. SCHERER. Wasn't Marzani one of the Communists who infiltrated Government agencies?

Mr. TAVENNER. He was tried on the charge of perjury and convicted.

Mr. SCHERER. He was convicted because he denied he had been a member of the Communist Party while a Government employee. So Communist infiltration not only takes place in the labor unions but also in the Government.

Mr. TAVENNER. Were any of the union funds used for that particular purpose?

Mr. DEAQINO. Well, as I said before, they would come before the executive board and make a special plea for additional \$200 for that purpose or \$300 or \$500 or \$600 or any amount of dollars. In other words, in order to find out more about that I imagine I would have to get certain records to find out whether or not whatever I am telling you is the truth.

But I do know for a positive fact they would make a plea before the stewards council, the membership for Eisler or Marzani and they did it for the Trenton Six. In fact, the Trenton Six practically bankrupted the union members. The guys were getting so used to the Trenton Six when they saw one of us trying to collect money for them some of the people resented it so much they refused to give after that.

Mr. TAVENNER. Members of the union paying the money out of their own pockets is one thing. They had a right to do that. We would like to know if money was taken from the treasury of the local's fund for causes of that kind?

Mr. DEAQINO. Let me say this, Mr. Tavenner. None of us had access to the union treasury. Even after and more or less in any treasury I don't care what organization you belong to unless it is an honestly run organization by honest-to-goodness people, where there is money in the treasury, for any sum of money when they actually tabulate the report of expenses and things of that nature, they have in it so many miscellaneous uses without anybody asking as to what miscellaneous cost was.

You understand what I mean and how much those miscellaneous uses actually amount to by item. They could jack up the miscellaneous cost to any amount and could divide it and give some to Marzani, some to Eisler, some to the Communist Party and some to anybody because we weren't there every minute of the day.

If they had been honest with the people instead of telling them the awful things they do say, and the way they slander the people and the way they do a character assassination job on the people, don't you think they would actually stoop down to dig into the pot of gold to fill their own needs? They certainly would.

Mr. TAVENNER. I want to be sure that the record is clear. Do you personally know that the union funds were used for such purposes?

Mr. DEAQINO. Yes. They were used.

Mr. TAVENNER. What is the basis for your knowledge? How do you know?

Mr. DEAQUINO. The reason for it is this: I know for a positive fact where there is some statements that can actually prove where a good deal of the union treasury went to. I know that I sat in many executive board meetings where they made appeals to the executive board to be recommended to the membership to allow the officers of the union and the financial treasurer to actually make an additional donation to the Eisler committee or to the Kuschner committee or to the Marzani committee and right down the line, but they wouldn't—once I asked that question and they told me, "Sit down, we will talk to you later about this." I asked them why they couldn't take up some benefit or collection for Marzani shop by shop, or Cardinal Mindszenty, held a captive in Russia because of the fact they claimed he was for sabotage purposes or spying. They told me they don't engage in religious stuff like that, that Catholic faith would take care of him and he soon would be free.

He didn't get free until just lately, I think if he ain't dead. They wouldn't help everybody. They only helped the people they wanted to help. And you have to come from the Communist Party or be a strong sympathizer to get anything from them.

Mr. TAVENNER. You stated you have information which would substantiate what you have told us about use of local funds for Communist purposes. Is that information in the form of checks?

Mr. DEAQUINO. Yes, we have some—

Mr. TAVENNER. Will you give the staff the information as to where those checks are?

Mr. DEAQUINO. I sure will.

Mr. TAVENNER. Not in the open session.

Mr. DEAQUINO. You don't want to know now?

Mr. TAVENNER. No. Will you make that information available to the staff?

Mr. DEAQUINO. I will make it available to anybody. I guess that would be the thing we mostly need in order to substantiate what I say.

Mr. DOYLE. Have you been offered, promised, or paid any money to testify before this committee?

Mr. DEAQUINO. No. This is a fight between me and them for years. Nobody could buy this junk. This has to come to a real showdown.

Mr. DOYLE. Thank you.

The committee will stand in recess until 2 o'clock this afternoon.

(Whereupon, at 12:30 p. m. the committee was recessed, to reconvene at 2 p. m. the same day.)

AFTERNOON SESSION, MAY 18, 1955

Mr. DOYLE. Let the committee be in order, and let the record show that a quorum of the subcommittee is present, Representative Scherer of Ohio, and Representative Doyle of California, chairman.

This noon there was handed to me a copy of the American Bar Journal for April 1955, volume 41, No. 4, and beginning on page 307, is a very interesting treatise by John F. O'Connor of the New York bar, and the subject is the "Fifth Amendment, Should a Good Friend Be Abused?" I will not have time to read it all.

However, I want to read several pertinent paragraphs beginning at page 307:

The right to claim the privilege against self-incrimination in the course of congressional investigations as well as in judicial proceedings is sanctioned by long usage and direct decisions of the United States Supreme Court. Its preservation should not be jeopardized either by permitting its assertion by those who claim it under admittedly false pretenses or by permitting those who rightfully use it to deny the obvious consequences of their acts. It is doubtful whether the privilege against self-incrimination has ever been so much more abused as it is currently by those who assert it under oath that to state whether or not they are Communist would tend to incriminate them, and yet the demand that the public accept their statements not under oath that they are not Communists.

A very practical problem is raised as to whether such abuse is not encouraged by those who would accept such inconsistent statements permitting those who make them to retain positions for which it is generally recognized that Communists or perjurers are not qualified.

Somewhere not in the center of the controversy over this problem lies the question of whether under the Smith Act and the Internal Security Act of 1950 membership in the Communist Party is or is not an incriminating factor. If, as the Smith Act provides, it is a criminal act to advocate the overthrow by unconstitutional means of the Government of the United States, why is it not a crime per se and the Internal Security Act says it is not, to be an officer or a member of a party which the Subversive Activities Control Board has found to advocate such overthrow?

That is all I will take time to read. I thought it would be pertinent to put it into the record for the guidance of Congress and also for the information of members of the bar who are here in the court room.

May I again remind members of the bar who appear with their witnesses this afternoon our rules prohibit any counsel for a witness putting words in the mouth of the witness. It limits the right of counsel to appear with his client before this committee and to advise him of his constitutional rights.

I hope that it will not be necessary for the Chair to hear any lawyer this afternoon or tomorrow advising his client except on the question of the client's constitutional rights. It is very embarrassing sometimes to find a lawyer putting the very testimony in the mouth of his client, and naturally as a lawyer I dislike very much to say that I have heard what the lawyer is telling his client, which violates the rules of the committee, and yet we sit so close to the witness table here that we can hear almost everything that is said.

I am telling the lawyers in the room that because we don't want to hear what you tell your client. But we do ask you to strictly observe the rules of the committee.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Chairman, before I call the first witness I would like to make a statement at this time for the benefit of the record and the committee.

The witness, Mr. Anthony DeAquino, who was on the witness stand just before the close of the morning session, identified a person by the name of Anthony Zinna, Z-i-n-n-a, as having been a member of this same group of the Communist Party of which he was a member while a member of local 447 of the UE. He made reference to the fact that Mr. Zinna was currently employed in some department of the city government as an employee. I think the only fair thing is to state as a matter of public record at this time that since the staff has been work-

ing on this case in this investigation here in this area, it has had occasion to confer several times with Mr. Zinna.

Mr. Zinna has cooperated fully with the members of this staff. He has corroborated some of the testimony that has already been given here before this committee. He has admitted former Communist Party membership and described to the staff that he got out of the Communist Party just a very short time after the election in 1948 which has been referred to here in evidence.

I thought in Mr. Zinna's behalf it should be made known as promptly as possible that he has fully cooperated with the committee in this investigation.

Mr. DOYLE. Thank you, Mr. Tavenner. It is just like you to always try to be eminently fair in protecting the good reputation of any person. Are you ready to call your first witness?

Mr. TAVENNER. I would like to call Mr. Gabriel Bloksberg. Will you come forward, please, sir.

Mr. DOYLE. Please rise, sir, and be sworn. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BLOKSBERG. I do.

TESTIMONY OF GABRIEL BLOKSBERG, ACCOMPANIED BY COUNSEL, WILLIAM ROSSMOORE

Mr. TAVENNER. What is your name, please, sir?

Mr. BLOKSBERG. Gabriel Bloksberg. B-l-o-k-s-b-e-r-g.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Will counsel please identify himself for the record?

Mr. ROSSMOORE. William Rossmoore, 60 Park Place, Newark, N. J.

Mr. Doyle, may I say something since I am the first lawyer to appear here after the last witness? I was rather shocked——

Mr. DOYLE. Just a minute. If you have any communication regarding the rights of your client as you see them, hand them to us and you know the rules of the committee require that. You also should know that of course the rules of the committee do not permit counsel to address the committee. We don't have time for it.

Mr. ROSSMOORE. The last witness cast aspersions on all members of the bar when he said——

Mr. DOYLE. That is an argument and I am not going to take the time of the committee. He can stand on his own feet and the committee takes into consideration the weight of the testimony and all those things and the ethical bar needs no defense. So just proceed with your questions.

Mr. ROSSMOORE. May I ask this, sir?

Mr. DOYLE. Ask what?

Mr. ROSSMOORE. Does your statement at the beginning of this hearing mean that the recommendation of the New Jersey State Bar Association and the American Bar Association with respect to right of counsel is not being followed by this committee?

Mr. DOYLE. That is a question that you can ask us outside of the hearings of the committee. We are here. You can get access to it and it has nothing to do with the questioning of your client by our counsel.

Mr. ROSSMOORE. It affects my right as counsel.

Mr. SCHERER. I know the purpose of this. Will you yield?

Mr. DOYLE. Yes.

Mr. SCHERER. He has a copy of the rules of this committee and if he hasn't got them he is negligent in not obtaining it.

Mr. ROSSMOORE. I have a copy of the rules.

Mr. SCHERER. You know how closely those rules do follow the recommendations of the American Bar Association and the recommendations of the New Jersey State Bar Association. There is no excuse for your outburst. Let's proceed.

Mr. ROSSMOORE. It is not an outburst, sir, it is a question.

Mr. TAVENNER. When and where were you born?

Mr. BLOKSBERG. Newburgh, N. Y., July 28, 1909.

Mr. TAVENNER. Where do you now reside?

Mr. BLOKSBERG. 350 Belmont Avenue, Newark.

Mr. TAVENNER. How long have you lived in Newark, N. J.?

Mr. BLOKSBERG. About 40 years, a few months more or less.

Mr. TAVENNER. During that period of time have you resided for any extended period in other States?

Mr. BLOKSBERG. What do you call extended periods?

Mr. TAVENNER. Say a month.

Mr. BLOKSBERG. Yes.

Mr. TAVENNER. What States?

Mr. BLOKSBERG. New York State.

Mr. TAVENNER. Any other States?

Mr. BLOKSBERG. Well, I was in the Army for 3 years or so and I lived for about a year and a half in Texas, Louisiana, and Oklahoma.

Mr. TAVENNER. What period were you in the Army?

Mr. BLOKSBERG. 1941 to—Wait a minute—1942 to 1946, somewhere around there. I don't remember the exact dates.

Mr. TAVENNER. What time in 1946 was it that you got out of the Army?

Mr. BLOKSBERG. It either was the end, November or December of 1945 or else the beginning of—I think it was the end of 1945. I think that would be correct.

Mr. TAVENNER. When you got out of the Army in 1945 about the end of the year, or early in 1946, where did you take up your residence?

Mr. BLOKSBERG. In Newark.

Mr. TAVENNER. In Newark. What was your employment when you took up your residence in Newark after you got out of the Army?

Mr. BLOKSBERG. I got a job in Federal Telephone & Radio Corp.

Mr. TAVENNER. Were you a member of the local union in that plant?

Mr. BLOKSBERG. After I got the job I joined the union. I have done that in every job I have been on. I have been in several jobs and several unions, including independents, AFL, CIO, bottling workers, I have been in many unions and I have held many jobs, very rarely been out of work, I am an industrious worker.

Mr. TAVENNER. We are glad that you have been an industrious worker. Have you used your efforts in the Communist Party in any way in addition to your industrious work in the union?

Mr. BLOKSBERG. You are making an assertion and I resent your assertion. You see, I want to raise a question here. I want to point out that this committee had admitted Mr. Doyle, the Chairman, has admitted that you are a lawyer, a very experienced and capable lawyer,

been on this committee for many years, Mr. Doyle himself pleads to have been a very capable lawyer and he says the same for Mr. Scherer. You guys have got me on a spot.

Mr. DOYLE. Just a minute.

Mr. BLOKSBERG. I want to make a point.

Mr. DOYLE. You will observe the rules of this committee.

Mr. BLOKSBERG. I think that is the rule.

Mr. DOYLE. A question has been asked you and we are not going to permit you to—

Mr. BLOKSBERG. There is an assertion, not a question, an assertion been made and I want to point out on a point of order that—

Mr. DOYLE. Just a minute, Mr. Bloksberg. You are not going to control this forum and you might as well understand that now.

Mr. BLOKSBERG. In other words, this is a forum and therefore your side is the only one has a right to speak. I have no right.

Mr. DOYLE. You have a right to speak when it is in accordance with the rules.

Mr. BLOKSBERG. If it is a forum, I want my rights, want no aspersions cast at me and want to make a point myself.

Mr. DOYLE. You can make a point when it is sharp enough and proper to make it.

Mr. BLOKSBERG. At this point it is very sharp.

Mr. DOYLE. You cannot make a speech for the Communist Party.

Mr. BLOKSBERG. You are making another assertion and you have—I have sat through this committee yesterday. You know I was here. I was here, yes, sir.

Mr. TAVENNER. Were you here?

Mr. BLOKSBERG. I was, sir.

Mr. TAVENNER. During the course of his testimony, Mr. DeAquino identified you as a person known to him to have been a member of the Communist Party between the time in 1947 and 1948 when you were employed at the Federal Telephone & Radio Corp. Was his statement true or false?

Mr. BLOKSBERG. I took a note of what that witness said and at one point when he was asked was he ever an officer of that local union—

Mr. TAVENNER. Will you answer my question?

Mr. BLOKSBERG. I will answer the question.

Mr. TAVENNER. I will give you every opportunity to explain after you have answered my question.

Mr. BLOKSBERG. He said he had ambitions, he had a family to take care of and he saw positions—

Mr. TAVENNER. His answer is not responsive to the question.

Mr. BLOKSBERG. Yes, it is.

Mr. DOYLE. It is not. You can answer that yes or no.

Mr. BLOKSBERG. He said "I am an opportunist and not afraid to admit it." You know what an opportunist is. He will do anything to improve himself by use of funds or anything else. On that basis I want to consult with my lawyer with regard to the question you have just asked.

Mr. DOYLE. As to your constitutional rights.

(The witness conferred with his counsel.)

Mr. SCHERER. Let the record show that the witness is consulting with his lawyer and smiling.

Mr. BLOKSBERG. Based on the fact that this witness himself stated that he was an opportunist it would seem to me that to answer that question would place me in jeopardy of persecution and prosecution, and I therefore claim the right and the privilege under the fifth amendment to reserve the right to answer that question.

Mr. DOYLE. Do you answer it or do you not?

Mr. BLOKSBERG. I said I reserve the right not to answer the question.

Mr. SCHERER. He has not properly invoked the fifth amendment.

Mr. DOYLE. Let the record speak just whatever he said. Let the record stand.

Proceed, Mr. Tavenner.

Mr. TAVENNER. I suggest if there is any question about that that you direct the witness to answer so the record will be fully clear.

Mr. DOYLE. I direct you to answer the question Mr. Tavenner asked you.

(The witness conferred with his counsel.)

Mr. BLOKSBERG. Did you ask that?

Mr. DOYLE. I directed you to answer the question.

Mr. BLOKSBERG. I repeat again that under the privilege granted me under the fifth amendment I refuse to answer that question.

Mr. TAVENNER. Are you acquainted with a person by the name of Julius Kolovetz?

(The witness conferred with his counsel.)

Mr. BLOKSBERG. Will you state the question?

Mr. TAVENNER. Read it, please.

(The reporter read from his notes as requested.)

Mr. BLOKSBERG. Same answer for the same reasons to the previous question.

Mr. TAVENNER. Were you present in this hearing room this morning at the time that Mr. Julius Kolovetz was testifying?

Mr. BLOKSBERG. I was present.

Mr. TAVENNER. You were present?

Mr. BLOKSBERG. Right.

Mr. TAVENNER. Did you hear his testimony?

Mr. BLOKSBERG. Yes, I heard his testimony.

Mr. TAVENNER. He identified you also as a person known to him to have been a member of the same Communist Party group of which he was a member between 1947 and 1948.

Mr. BLOKSBERG. You see, sir, there have been witnesses before this committee at various times, some of whom have already told—

Mr. SCHERER. Just a minute.

Mr. BLOKSBERG. And they laid in testimony and I, because of the setup in this committee, cannot place my own freedom in jeopardy on the basis of anyone's opinions.

Mr. DOYLE. Let me say this to you: If you continue to undertake to slur this committee we will have you forcibly ejected from the court-room.

Mr. BLOKSBERG. I am not slurring.

Mr. DOYLE. Yes, you are.

Mr. BLOKSBERG. It is based on my own information.

Mr. DOYLE. You have to observe the rules of this committee or we will treat you accordingly under the rules of the committee. You might as well understand that. This is the last time I will warn you.

Mr. BLOKSBERG. I understand the one sidedness of the committee.

Mr. DOYLE. You understand we are here as a congressional committee and are not going to sit here and take your bunk and your slurs.

Mr. BLOKSBERG. You make speeches all day long, Mr. Doyle.

Mr. DOYLE. We know.

Mr. BLOKSBERG. And your speeches are slurs and bunk, too, and I am in no position to combat them. You are placing me in a strait-jacket.

Mr. DOYLE. You can be a dignified person, or try to.

Mr. SCHERER. I move that the witness be ejected from the court-room by the United States marshal for continuing to act as he has.

Mr. DOYLE. It is so ordered.

(The witness was escorted from the hearing room by a United States marshal.)

Mr. DOYLE. Proceed, Mr. Tavenner.

Mr. TAVERNER. Mr. Robert Galina.

Mr. SCHERER. I might say I am going to recommend that this sub-committee recommend to the full committee that the witness be cited for contempt of Congress.

Mr. DOYLE. I will join you in the recommendation.

Will you please rise and be sworn.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GALINA. I do.

Mr. DOYLE. Be seated.

TESTIMONY OF ROBERT GALINA, ACCCOMPANIED BY COUNSEL, WILLIAM ROSSMOORE

Mr. TAVERNER. Will you state your name, please?

Mr. GALINA. Robert Galina. G-a-l-i-n-a.

Mr. TAVERNER. Are you accompanied by counsel?

Mr. GALINA. I am.

Mr. TAVERNER. Is he the same counsel who appeared for the former witness?

Mr. ROSSMOORE. That is right, sir.

Mr. TAVERNER. Mr. Galina, when and where were you born?

Mr. GALINA. Newark, N. J., June 9, 1914.

Mr. TAVERNER. Will you tell the committee, briefly, what your formal educational training has been.

Mr. GALINA. I completed both grade and high schools in Newark, and I attended New York University for 2 years.

Mr. TAVERNER. When did you complete your work at New York University?

Mr. GALINA. I didn't complete my work.

Mr. TAVERNER. When did you finish your work there?

Mr. GALINA. It must have been June 1, 1934, to the best of my recollection.

Mr. TAVERNER. Did you then return to Newark for employment?

Mr. GALINA. NYU had an extension in Newark at the time and that is the place I attended. I think it was on Academy Street.

Mr. TAVERNER. What is your present employment or profession?

Mr. GALINA. I have no profession, sir. I am a worker.

Mr. TAVERNER. In what work are you engaged?

Mr. GALINA. I am driving a wholesale dry-cleaning truck right now.

Mr. TAVENNER. Will you tell the committee, please, what your employment has been since 1945?

Mr. GALINA. I was in the Army in 1945, sir.

Mr. TAVENNER. What period of time did you serve in the Army?

Mr. GALINA. I think I went in around October 1943 and got out around 30 months later, sometime around 1946.

Mr. TAVENNER. In March 1946. How did you become employed on your release from the Army?

Mr. GALINA. I heard there was a job-training program down at Federal Telephone & Radio Corp. and I tried to get placed on the apprentice program for tool and die maker, which is a highly skilled thing to carry me through life with almost a profession, a good trade. They didn't have that open for anybody that just walked in; I had no seniority in the place, but they had an on-the-job training program for telephone apparatus adjusters or apparatus workers and I signed up for that under the GI bill of rights.

Mr. TAVENNER. How long did you remain with that company?

Mr. GALINA. Well, I was there some 8 years, I guess.

Mr. TAVENNER. When did you leave employment there?

Mr. GALINA. Around February 1, 1954, about a year and a half ago, I guess, somewhere about that.

Mr. TAVENNER. During that period of employment were you a member of the union which had bargaining rights with that company?

Mr. GALINA. After 30 days it was mandatory that a person—although I would have joined whether it was mandatory or not.

Mr. TAVENNER. Was the witness who preceded you also a member of that union?

Mr. GALINA. As far as I know.

Mr. TAVENNER. Did he work at the same plant with you?

Mr. GALINA. Yes.

Mr. TAVENNER. Were you well acquainted with him?

Mr. GALINA. How do you mean that, sir?

Mr. TAVENNER. You knew him?

(The witness conferred with his counsel.)

Mr. GALINA. Repeat the question, sir.

Mr. TAVENNER. I asked you if you knew the preceding witness?

Mr. GALINA. As a result of our employment there, sir?

Mr. TAVENNER. By any reason, regardless of how you happened to know him; did you know him?

Mr. GALINA. It is very difficult to answer that.

Mr. TAVENNER. It is?

Mr. GALINA. I know him now. I worked with him.

Mr. TAVENNER. How long have you known him?

Mr. GALINA. I imagine since we worked there.

Mr. TAVENNER. Worked at the Federal Telephone & Radio Corp.?

Mr. GALINA. That is right, sir.

Mr. TAVENNER. Did you receive any appointment or were you elected to any office of the union while there?

Mr. GALINA. Well, I was a steward several years.

Mr. TAVENNER. Did you later become a member of the executive board?

Mr. GALINA. I don't know. Of the UE, you are speaking of now?

Mr. TAVENNER. Yes.

Mr. GALINA. I was a member of the executive board of the UE, too, later on.

Mr. TAVENNER. We are asking about the period prior to 1948.

Mr. GALINA. I was never elected a member of the executive board that I know of.

Mr. TAVENNER. But were you a member of that board?

Mr. GALINA. If I was it was by strength of the fact that I was chairman of the PAC committee.

Mr. TAVENNER. What position did Mr. Bloksberg hold in your local union?

(The witness conferred with his counsel.)

Mr. GALINA. As far as I know the only thing he held there was a stewardship, line stewardship, that I had.

Mr. TAVENNER. Do you know whether he was on the executive board too?

Mr. GALINA. I don't think he ever was, no, sir; not that I know of. Let me put it that way. I know he never ran for executive board.

Mr. TAVENNER. Were you and Mr. Bloksberg associated in any other organization besides your union?

(The witness conferred with his counsel.)

Mr. GALINA. It seems to me that this committee is now getting into grounds which it has no right to get into and I am going to invoke my rights under the Constitution and the first amendment and fifth amendment—that part of the amendment which reads a witness cannot be compelled to testify against himself.

Mr. SCHERER. Will you read counsel's question, Mr. Reporter.

(The reporter read from his notes as requested.)

Mr. SCHERER. Mr. Chairman, I am going to ask that you direct the witness to answer the question.

Mr. DOYLE. I so direct, Witness.

(The witness conferred with his counsel.)

Mr. GALINA. I give the same answer exactly. I refuse to testify under the first amendment and fifth amendment privilege which prevents a witness from being forced to testify against himself, sir.

Mr. SCHERER. In other words, I understand that you feel it might incriminate you?

Mr. GALINA. My words, are, I think I have—do you have a copy of the fifth amendment (addressing his counsel)?

Mr. SCHERER. Will you wait until I finish my question? I understand by your answer that you feel that it would incriminate you if you answered Mr. Tavenner's question by telling us whether or not you were associated with Mr. Bloksberg in another organization?

(The witness conferred with his counsel.)

Mr. GALINA. You can understand, I can't prevent you from understanding or drawing any conclusion you want, but I invoke the privilege under the fifth amendment, which states a witness cannot be compelled to testify against himself.

Mr. SCHERER. Without asking you in what organization you may have been associated with Mr. Bloksberg, I ask you this question: Were you associated with Mr. Bloksberg in any organization other than the one which you have told us about?

Mr. GALINA. Isn't that the same question, sir?

Mr. SCHERER. If it is the same, will you answer it?

Mr. GALINA. I decline for the same reasons. Is that adequate grounds? I still use the first and fifth amendments' privilege which states a witness cannot be compelled to testify against himself.

Mr. SCHERER. Mr. Chairman, I ask you to direct the witness to answer the question as to whether or not he was associated in any organization with Mr. Bloksberg other than the one he told us about.

Mr. DOYLE. I so direct you, Mr. Witness.

Mr. GALINA. Shall I repeat the answer or shall I just say same answer?

Mr. DOYLE. Whatever answer you have.

Mr. GALINA. It is the same answer. I invoke my constitutional rights under the first and fifth amendments and that portion of the fifth amendment which states that a witness cannot be compelled to testify against himself.

Mr. SCHERER. In a criminal case.

Mr. TAVENNER. Mr. Chairman, I want to ask this witness a question about Mr. Bloksberg, but if Mr. Bloksberg is not going to be permitted to come back to answer it, I don't want to ask it.

Mr. SCHERER. Let us hear what it is.

(Conference with committee members and staff.)

Mr. TAVENNER. During the period that you were steward of local 447, were you a member of the Communist Party?

Mr. GALINA. Again you are trying to invade my personal associations and beliefs and again I invoke the privilege under the fifth amendment.

Mr. TAVENNER. Prior to 1948 did you have any knowledge of membership of other officials of local 447 in the Communist Party?

(The witness conferred with his counsel.)

Mr. GALINA. No matter how many ways this committee frames questions as to my personal beliefs and personal associations, I will not answer and I will invoke my privilege under the fifth amendment.

Mr. TAVENNER. Were you required at any time during your connection with the UE to file a non-Communist affidavit under the provisions of the Taft-Hartley Act?

(The witness conferred with his counsel.)

Mr. GALINA. No; I never was.

Mr. TAVENNER. Did you at any time refuse to sign such petition?

Mr. GALINA. Taft-Hartley?

Mr. TAVENNER. Yes.

Mr. GALINA. I was never required so there was no question of refusal.

Mr. TAVENNER. When did you terminate your employment?

Mr. GALINA. As I said, somewhere around February 1, 1954.

Mr. TAVENNER. 1954?

Mr. GALINA. Somewhere around there.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. GALINA. I think it would be well if the committee wouldn't waste time on questions of this sort, wasting taxpayers' money.

Mr. DOYLE. Go ahead and answer the question. We do not intend to have you make a Communist speech here. Just answer the question.

Mr. GALINA. It is not a Communist speech. I invoke my privilege under the fifth amendment.

Mr. DOYLE. That is your privilege if you are doing it honestly and conscientiously.

Mr. TAVENNER. I have no further questions.

Mr. SCHERER. I have no questions.

Mr. DOYLE. No further questions. You are excused.

(Whereupon the witness was excused.)

Mr. GALINA. What do I do with this?

Mr. DOYLE. You can get your witness fee here at the desk.

Mr. GALINA. That is what I want.

Mr. DOYLE. I know you want it.

Mr. TAVENNER. Mr. Emil Asher.

Mr. DOYLE. Will you please rise. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ASHER. I do, sir.

Mr. DOYLE. Be seated.

TESTIMONY OF EMIL ASHER, ACCCOMPANIED BY COUNSEL, HARRY SACHER

Mr. TAVENNER. What is your name, please?

Mr. ASHER. Emil Asher.

Mr. TAVENNER. It is noted you are accompanied by counsel. Would counsel please identify himself for the record?

Mr. SACHER. Harry Sacher, 342 Madison Avenue, New York 17, N. Y.

Mr. TAVENNER. When and where were you born, Mr. Asher?

Mr. ASHER. Born in Paterson, N. J., on June 4, 1915.

Mr. TAVENNER. Will you tell the committee, briefly what your educational training has been?

Mr. ASHER. My educational training has been grade school and 3 years of high school.

Mr. TAVENNER. Were you a member of the Armed Forces?

Mr. ASHER. No, sir. I had a physical disability.

Mr. TAVENNER. Will you tell the committee, please, what your employment has been since 1945?

Mr. ASHER. Well, during the period of 1945 until 1947, I believe, I functioned in the capacity of a UE organizer and also as a business agent for a UE local 423 in the Passaic County area.

Mr. TAVENNER. As a union organizer?

Mr. ASHER. That is correct.

Mr. TAVENNER. Is that the same as a field organizer?

Mr. ASHER. That is correct.

Mr. TAVENNER. In what union were you working at that time?

Mr. ASHER. The United Electrical, Radio and Machine Workers of America.

Mr. TAVENNER. When did your employment by the UE begin?

Mr. ASHER. Well, I would say on or around 1943. I don't think I could pinpoint the actual month.

Mr. TAVENNER. That is satisfactory. How long did it continue?

Mr. ASHER. I would say until the—will you just repeat it again?

Mr. TAVENNER. How long did your employment as a field organizer continue? You said it began in 1943.

Mr. ASHER. That is correct. I think somewhere in 1946.

Mr. TAVENNER. Is that within the area of district 4 of the UE?

Mr. ASHER. That is correct.

Mr. TAVENNER. To what locals were you assigned while field organizer within UE district 4?

Mr. ASHER. Well, from time to time we would go into different local unions based upon the particular problems. I couldn't offhand recall the exact local unions but I know they were 418, 423, I think that is about all, sir.

Mr. TAVENNER. Did you ever work in any capacity with local 447?

Mr. ASHER. I believe I was a member of their local union.

Mr. TAVENNER. During what period were you a member of that union?

Mr. ASHER. Again I would have to say about the period. It seems to me that it was in the year of 1946 and possibly running into the early part of 1947.

Mr. TAVENNER. Did you hold a position of any kind while you were a member of local union 447?

Mr. ASHER. I don't recall holding any official position within that local union.

Mr. TAVENNER. Did you hold any official position in the UE while you were a member of local 447?

Mr. ASHER. Yes, sir. I was a field organizer at that period.

Mr. TAVENNER. That brings you up to 1947. Did you hold any official position in the UE after 1947?

Mr. ASHER. I just want to correct the record a moment, sir. I think it was in 1946 that I was a member of the 447 local and I think during the period of 1947 I then became the business agent of local 423, which was an amalgamated local.

Mr. TAVENNER. How long did you serve in that capacity?

Mr. ASHER. I would say a little over a year.

Mr. TAVENNER. What was your next employment in the UE?

Mr. ASHER. I terminated my employment at that point.

Mr. TAVENNER. What employment did you obtain at that time?

Mr. ASHER. I went into the shop, I don't recall the name of it, frankly, I know it was a subsidiary of the Koppers Coke.

Mr. TAVENNER. In what area?

Mr. ASHER. Berkeley Heights, N. J.

Mr. TAVENNER. How long did you remain employed there?

Mr. ASHER. About 6 months.

Mr. TAVENNER. What was your next employment?

Mr. ASHER. May I consult with counsel?

Mr. TAVENNER. Yes.

(The witness conferred with his counsel.)

Mr. ASHER. Well, at this point, sir, I would like to invoke my constitutional rights and decline to answer that question because I refuse to be a witness against myself.

Mr. TAVENNER. Now, in order to be accurate about the dates. You stated you left that employment after a period of 6 months. What was the date you left that employment of about 6 months and took up the employment you now refuse to tell us about?

Mr. ASHER. Well, I know it was some time in 1948.

Mr. TAVENNER. In 1948?

Mr. ASHER. That is right.

Mr. TAVENNER. Was it after the election held in local 447 in 1948 that you took up this new employment?

Mr. ASHER. That is correct.

Mr. TAVENNER. Did the result of the election in local 447 in 1948 have anything to do with your change of occupations?

Mr. ASHER. The local union election had nothing to do with it.

Mr. TAVENNER. Where were you living after you took your new employment in 1948?

Mr. ASHER. I was living in Newark, N. J.

Mr. TAVENNER. How long did you continue to reside in Newark, N. J.?

Mr. ASHER. Until June 1951.

Mr. TAVENNER. How were you employed during the period 1948 to June 1951?

(The witness conferred with his counsel.)

Mr. ASHER. Well, I again want to invoke my privilege under the Constitution and decline to answer this question.

Mr. TAVENNER. How were you employed after June 1951?

Mr. ASHER. I think around August of 1951 I sought employment, and achieved it in a textile plant.

Mr. TAVENNER. Where?

Mr. ASHER. The Eclipse Piece Die Works.

Mr. TAVENNER. Where is that plant located?

Mr. ASHER. Passaic, N. J.

Mr. TAVENNER. How long did you remain employed there?

Mr. ASHER. I am at the present moment still employed there.

Mr. TAVENNER. Are you now a member of the UE?

Mr. ASHER. No, sir. I haven't been from the point when I left it.

Mr. TAVENNER. In 1946 you were a member of local 447. Were you acquainted at that time with Elwood Dean?

(The witness conferred with his counsel)

Mr. ASHER. I want to state, sir, that I have been a worker all of my life, I started work when I was 8 years of age, and one of the first principles which I was taught when I went into a plant—

Mr. DOYLE. Just a minute. You can answer that "Yes" or "No" and save your time and ours, or claim your privilege if that is what you feel you conscientiously and honestly can do.

Mr. ASHER. The only thing is I feel it does require a bit of explanation.

Mr. DOYLE. It does not require any explanation. If you claim the privilege honestly and conscientiously that is your constitutional privilege, but the question calls for "Yes" or "No."

Mr. ASHER. Can I also state I sat here this morning—

Mr. DOYLE. Answer the question and I will give you an opportunity to explain your answer.

Mr. ASHER. All right. I decline to answer the question for the same reasons which I previously gave. Can I now state—

(The witness conferred with his counsel.)

Mr. DOYLE. I think possibly you misunderstand my statement, but you didn't answer the question "Yes" or "No." You relied upon your constitutional privilege and refused to answer. Now, I don't want to mislead you in any way. I didn't intend to but if you considered your pleading of the amendment as an answer, we don't so consider it.

Mr. ASHER. Can I have the question rephrased?

Mr. DOYLE. Yes.

Mr. TAVENNER. Were you acquainted with Elwood Dean in 1946?

Mr. ASHER. Well, I decline to answer the question, based upon my constitutional rights of the fifth amendment, and do not want to be a witness against myself.

Mr. TAVENNER. Do you know whether or not he was a candidate for office of freeholder on the Communist Party ticket in 1946?

Mr. ASHER. Well, again I want to state that I decline to answer the question. I certainly feel that on this score I am not going to answer any of the questions of the committee.

Mr. SCHERER. I suppose the witness intended to invoke the fifth amendment, but he did not invoke it so I will ask the chairman to direct him to answer the question.

Mr. SACHER. Do you want to waste time just having this rigmarole?

Mr. DOYLE. It is no waste of time.

Mr. SCHERER. I am protecting your client.

Mr. SACHER. He is protected if you don't direct him to answer.

Mr. DOYLE. I was just getting ready to direct him, sir.

Mr. SACHER. It is obvious the man intends to invoke his privilege.

Mr. DOYLE. That is why we are courteous enough to remind him.

Mr. SACHER. He runs no risk if you do not order him to answer.

Mr. SCHERER. That is not the law.

Mr. SACHER. I will come and take lessons from you.

Mr. DOYLE. If you intended to invoke your constitutional privilege, I didn't hear you do it in answer to the last question. Will you read the witness' answer, please, to help him?

Mr. SACHER. I don't think you need take that time. I shall suggest what he shall say if that will please you.

(The witness conferred with his counsel.)

Mr. ASHER. I decline to answer the question based upon my rights under the Constitution that I will not be a witness against myself.

Mr. TAVENNER. Are you acquainted with the fact that Mr. Dean was also a candidate for office, namely, position of county clerk on the Communist Party ticket in 1950?

Mr. ASHER. Again I want to state I have no intention informing the committee as to who my associates are, as to what my political beliefs are.

Mr. DOYLE. We are not asking you that question, sir. We are asking the question whether or not you were aware Elwood Dean was a candidate on the Communist Party ticket for a certain office, not whether you are associated with him.

Mr. ASHER. I again decline to answer that question based upon the fifth amendment.

Mr. TAVENNER. Were you acquainted with Louis Malinow who was candidate for the position of freeholder on the Communist Party ticket in 1951?

Mr. ASHER. I again decline for the same reasons.

Mr. TAVENNER. Did you engage in any activity for the support of Mr. Dean and Mr. Malinow by signing nominating petitions? I hand you a photostatic copy of the three petitions and ask whether or not you can identify your name as a signatory. You may explain first the one of—

Mr. SACHER. He has examined all three.

Mr. ASHER. I again decline to answer the questions for the same reasons.

Mr. DOYLE. I didn't observe you looking at the petition at all, sir. You may not want to but the petitions are before you. Do you want to look at them before you answer?

Mr. TAVENNER. May I change my questions? Will you examine the petition for 1946 and state whether or not the name appearing on line 2 near the top of the page is your name?

(The witness conferred with his counsel.)

Mr. ASHER. I decline to answer, sir, for the same reason.

Mr. TAVENNER. Will you examine the second petition of 1950 and state whether or not the name appearing on the first line is your signature?

Mr. ASHER. I again decline to answer the question for the same reason.

Mr. TAVENNER. Will you examine the petition of 1952 and state whether or not the name appearing on line 14 is your signature.

Mr. ASHER. Again I wish to state that I decline to answer that question for the same reasons.

Mr. TAVENNER. I offer the documents in evidence and ask that they be marked Asher Exhibits Nos. 1, 2, and 3, respectively for identification purposes only and to be made part of the committee files.

Mr. DOYLE. It is so ordered.

Mr. TAVENNER. During the period that you held an official position with the UE, did you engage in any activities for the Communist Party?

(The witness conferred with his counsel.)

Mr. ASHER. I again decline to answer that question for the same reasons previously stated.

Mr. TAVENNER. Will you tell the committee any facts within your knowledge as to whether or not the Communist Party either did or did not attempt to exercise direction and influence upon local 447?

(The witness conferred with his counsel.)

Mr. ASHER. I must again, sir, decline to answer that question for the same reasons which I previously stated.

Mr. TAVENNER. Have you ever attended a Communist Party meeting at Communist Party headquarters in Newark?

Mr. ASHER. Well, I think the committee is now delving again into my political opinions and my political thinking and it seems to me that based upon the Constitution of the United States under the first amendment, I certainly have the right of association or opinions and I also further want to decline to answer the question on the basis which I stated previously under the fifth amendment.

Mr. SCHERER. In view of the witness' answer, for the record may I say that the Communist Party is not a political party as we know political parties in this country; by the courts and by an act of Congress it has been designated as a criminal conspiracy dedicated to the overthrowing of this Government by force and violence and that it is as much a conspiracy as any covered by other criminal statutes on the books today. We are not delving into anybody's political beliefs when we ask them about their association or participation in this criminal conspiracy.

Mr. SACHER. May I ask you if you think it is a criminal conspiracy—

Mr. DOYLE. You know the rule of this committee and I am not going to permit you to violate it.

Mr. SACHER. I don't wish to violate it. I asked if I may.

Mr. DOYLE. No.

Mr. SACHER. I wish in telling me I may not, I wish you would do it politely, bearing in mind I am a member of the bar and asked for permission.

Mr. DOYLE. I am surprised that you should openly violate the rules of the committee by asking if you can make a statement when you know it is not permitted under the rules.

Mr. SACHER. May I not ask you whether I may make one? You mean this is so unchangeable that one may not even ask you?

Mr. DOYLE. You were seated in this room when I told you the rights of counsel before this committee. You heard me. I saw you look at me and smile. You are deliberately violating the rule of the committee. Please discontinue.

Mr. SACHER. When I ask you a question I don't violate it. If you tell me I may not, I may not and I shall desist.

Mr. DOYLE. I told you before the session began you couldn't. I laid down your jurisdiction, and that is to advise your client of his constitutional rights.

Mr. SACHER. You mean a lawyer may not even ask you a question—during the hearing that he may not ask you a question?

Mr. DOYLE. You know I have to rule against you. Why do you persist? Why don't you practice ethically before this committee and stop violating its rules?

Mr. SACHER. I yield to nobody on ethical practice.

Mr. DOYLE. You are in deliberate violation of the rules.

Mr. SACHER. It is not so.

Mr. DOYLE. It is so.

Mr. TAVENNER. Were you a member of the Communist Party in 1948?

Mr. ASHER. I again want to state, sir, that no matter how many times you are going to ask these types of questions you are going to get the same kind of an answer.

(The witness conferred with his counsel.)

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. ASHER. I would like to state that from some of the remarks which were made it certainly indicates that the committee has made up its mind insofar as some of the political questions which—

Mr. DOYLE. Will you please answer the question.

Mr. ASHER. I am, sir, getting to it.

Mr. DOYLE. Don't get around it that way. Just answer the question. You can claim your privilege if you believe you honestly, conscientiously can.

Mr. ASHER. I think a reply is more than just a yes or no answer. It seems to me that—I would like to also state, sir, that it seems as though there is an attempt being made to just get the same question in another form and to get the same answers.

Mr. DOYLE. You answer it the way you feel you honestly, frankly, conscientiously can, but we don't have time for you to make a speech even of 3 or 4 minutes.

Mr. ASHER. Can I have the privilege of one moment of explaining myself on this point?

Mr. SCHERER. The position of the committee is that if you answer the question, Witness, we will give you all the time in the world to make an explanation, but when you refuse to answer the question you have no right to make an explanation because you don't answer the question. When you invoke the fifth amendment and refuse to answer, you are not answering the question, you just decline.

If you answer yes or no, that is, answering the question of counsel, we will sit here until 5 o'clock and let you make an explanation of that answer, but you can't make an explanation of an answer you don't give. That is the position of the committee; and it is sound. What was the question?

Mr. TAVENNER. Whether or not he is a member of the Communist Party at this time.

Mr. SCHERER. If you answer that question we will sit here as long as you want and listen to any explanation that you want to give. But when you refuse to answer the question you certainly don't have the right to explain what you don't answer. That is the position of this committee and some people don't understand it, and it is a sound position that is taken in the courts also.

Mr. ASHER. I decline to answer the question for the same reasons previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Any questions, Mr. Scherer?

Mr. SCHERER. Yes.

Anthony DeAquino testified this morning before this committee and identified you as a member of the Communist Party and gave other testimony insofar as you were concerned. We want to give you the opportunity either to affirm or deny that testimony, or explain it in any way you see fit.

(The witness conferred with his counsel.)

Mr. ASHER. I just want to state, sir, that the committee has already come to certain conclusions insofar as the opinions of the previous witness, and therefore it is no point for me to answer the question. I therefore decline for the same reasons previously given.

Mr. TAVENNER. Mr. Chairman, if that is his reason for declining to answer, I would suggest that you direct him to answer.

Mr. DOYLE. I do direct you to answer the question if that is your reason.

(The witness conferred with his counsel.)

Mr. ASHER. I decline to answer because I don't want to be a witness against myself, under the fifth amendment.

Mr. SCHERER. Was DeAquino telling the truth when he said you were a member of the Communist Party?

Mr. ASHER. I was in no position, sir, to question him or cross-examine him.

Mr. SCHERER. I understand, but you have your opportunity now to answer simply whether DeAquino was telling the truth when he identified you as a member of the Communist Party.

Mr. ASHER. I decline to answer the question for the same reasons previously given because I don't think this is an opportunity.

Mr. SCHERER. Because what?

Mr. ASHER. I don't think it is an opportunity here.

Mr. SCHERER. Mr. Chairman, then I ask that you direct the witness to answer, because the reason he gave is not a reason for declining to answer under the fifth amendment.

Mr. DOYLE. I make the direction that you answer the question.

Mr. ASHER. I decline to answer the question for the same reasons previously given under the fifth amendment.

Mr. SCHERER. That is all.

Mr. TAVENNER. That will be all.

(Whereupon the witness was excused.)

Esther Engle.

Mrs. LISS. Before I am sworn, I would like to make two requests: First that the photographers refrain from taking pictures of me. I have noticed that during the hearings although it is a rule that while a witness is testifying that they should refrain from doing so, I notice that they are proceeding to do so while I am talking and I would appreciate it if the court would direct them to stop.

Mr. DOYLE. Congress believes strongly in freedom of the press and they are here as such, and they, however, agreed not to take your picture or the picture of any other witness during testimony. I have noticed that they have observed that arrangement very nicely. But of course they are free to take your picture as a witness in a public meeting and gathering. What is your other request?

Mrs. LISS. I feel that the committee does have some semijudicial powers here to direct photographers to refrain from doing this and I was hoping it would invoke these powers. I won't hold up the hearing.

Mr. DOYLE. We are not going to direct the American press not to take a picture of a person appearing in any public gathering in this country. When you are under testimony that is different. They do not do it under such conditions. What is your other point?

Mrs. LISS. I would respectfully move this committee quash the subpoena served upon me—

Mr. DOYLE. If you have a motion, hand it to us and we will consider it.

Mrs. LISS. It is three sentences—on the ground that it does not state with particularity the scope, purpose, and subject matter of the proposed interrogation to which I am to be subjected.

Mr. DOYLE. Of course under the law it isn't required that the subpoena state that. Under the rules of the committee it requires the chairman to make an opening statement and that opening statement was made. Now, are you ready to be sworn and proceed?

Mrs. LISS. Yes; though I would like it in the record that I am being sworn—

Mr. DOYLE. Everything you said went into the record.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. LISS. I do.

TESTIMONY OF ESTHER ENGLE LISS, ACCOMPANIED BY COUNSEL, ESTHER STRUM FRANKEL

Mr. TAVENNER. Will you state your name, please.

Mrs. LISS. Esther Engle Liss.

Mr. TAVENNER. Are you accompanied by counsel?

Mrs. LISS. I am.

Mr. TAVENNER. Will counsel please identify herself?

Mrs. FRANKEL. I am Esther Strum Frankel of 262 Main Street in Paterson, N. J.

Mr. TAVENNER. Were you subpenaed under the name of Esther Engle.

Mrs. LISS. Yes.

Mr. TAVENNER. Is that your name now?

Mrs. LISS. My name is Esther Liss.

Mr. TAVENNER. Will you spell it, please.

Mrs. LISS. L-i-s-s.

Mr. TAVENNER. How long have you been married?

Mrs. LISS. Before I go into answering any of the other questions, I would just like another point of clarification. I was summoned here to testify in connection with Un-American Activities and I would like a definition by counsel or committee on precisely what they mean. I want to know what questions I will answer will fall into this scope.

Mr. SCHERER. Proceed with the questions.

Mr. TAVENNER. Will you answer the question, please?

Mrs. LISS. Well, the reason that I am raising this—

(The witness conferred with her counsel.)

Mrs. LISS. The reason I am raising this is I want to make sure that a simple question such as where I was born or who I married and other personal questions are within the scope of this committee.

Mr. TAVENNER. I didn't ask you the name of your husband, but I want some identifying information regarding you and as to the names used by you during different periods. Once again I ask you to answer the question.

Mrs. LISS. Repeat the question, please.

Mr. TAVENNER. Read it, please.

(The reporter read from his notes as requested.)

Mrs. LISS. I just would like the record to show that I object to this type of questioning but in order not to delay the hearings I will answer the question. I have been married for a little over 3 years.

Mr. TAVENNER. Have you used any name other than Esther Engle and your present married name?

Mrs. LISS. No, I have not.

Mr. TAVENNER. Will you tell the committee, please, where you were born?

Mrs. LISS. I was born in Paterson.

Mr. TAVENNER. Where do you now reside?

Mrs. LISS. In Paterson.

Mr. TAVENNER. How long have you lived in Paterson?

Mrs. LISS. All my life.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mrs. LISS. I have gone through public schools; grade schools, high school. That is it.

Mr. TAVENNER. Will you tell the committee what employment you have had since 1945?

Mrs. LISS. I would decline to answer this question on the grounds of the fifth amendment, since I feel that a witness does not have to testify against himself.

Mr. TAVENNER. Have you at any time been employed by the UE? Or a local of the UE.

Mrs. LISS. Again I am declining to answer that question on the same grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I ask that the witness be directed to answer.

Mr. DOYLE. I instruct you to answer, Witness. I believe it is a fair question for the purpose of identity.

Mrs. LISS. I again decline to answer that question on the same grounds.

Mr. SCHERER. What was the question?

Mr. TAVENNER. The question was whether she at any time had been employed by the UE or one of its locals; and she refused to answer.

Mr. SCHERER. And used the fifth amendment for that?

Mr. TAVENNER. Yes.

Mr. DOYLE. I instructed her to answer.

(The witness conferred with her counsel.)

Mr. SCHERER. I think that the witness should be told that it is the opinion of the committee if she refuses to answer that question she is clearly in contempt. That is the opinion of the committee. I think the witness should know that.

Mr. TAVENNER. It is fair that it be explained to her if that is your view.

Mr. SCHERER. Witness, it is the opinion of the committee, and we may be wrong, but if you refuse to answer the question as to whether you were a member of the UE or an officer of the UE, you are clearly in contempt. How could that possibly incriminate you?

Mrs. LISS. I would like to consult with my attorney.

(The witness conferred with her counsel.)

Mrs. LISS. I would like to withdraw my last answer and answer the question in relation to—the answer to that question is, "Yes."

Mr. TAVENNER. When were you employed by the UE?

Mrs. LISS. Approximately between 1944 and 1948. I am not positive, you know, about the exact months, but it is approximately in that period.

Mr. TAVENNER. Have you been employed by the UE or any local of the UE or any district headquarters of the UE at any other time than between the years of 1944 and 1948?

Mrs. LISS. No.

Mr. TAVENNER. What was the nature of your employment between 1944 and 1948?

Mrs. LISS. I was an office worker.

Mr. TAVENNER. In what office?

Mrs. LISS. In the office of local 447.

Mr. TAVENNER. Who was the president of UE local 447 during that period of time?

Mrs. LISS. I would decline to answer that question on the grounds of the fifth amendment and my privileges thereunder.

Mr. TAVENNER. What was the nature of your duties as office worker?

Mrs. LISS. As office worker, I took dictation, answered the telephone, typed.

Mr. TAVENNER. Were you the secretary or the stenographer for the president of the local?

Mrs. LISS. I took dictation and directives from any one of the officials of the local, including the stewards and chief stewards and any one in the local that had any kind of authority, you might say.

Mr. TAVENNER. Were you in a position to have very intimate knowledge about the workings of the headquarters of your particular local?

Mrs. LISS. I had intimate knowledge insofar as my own job was concerned and the duties I had to perform.

Mr. TAVENNER. In the course of the performance of your duties did you have occasion to meet with stewards or other officials of your union in Communist Party meetings?

Mrs. LISS. I would decline to answer that question on the grounds of the fifth amendment on the basis that I will not testify against myself.

Mr. TAVENNER. According to the testimony of Lieutenant Owens, which was given on the first day of these hearings, you admitted him to the premises of 38-40 Park Place in Newark in order that he might execute a search warrant which he had in his possession. Do you recall that occasion?

Mrs. LISS. I would refuse to answer that question on the same grounds previously stated.

Mr. TAVENNER. It was shown in evidence that 38 Park Place was the headquarters of the Communist Party and that you were there. Will you tell the committee what your position was in the Communist Party and what your reason was for being there?

Mrs. LISS. I again decline to answer that question on the same grounds previously stated.

Mr. TAVENNER. Were you a member of the Communist Party on January 18, 1951 at the time of the execution of that search warrant?

Mrs. LISS. I would again decline to answer that question on the same grounds.

Mr. TAVENNER. Were you a member of the Communist Party during the time you were working for the UE between 1944 and 1948?

Mrs. LISS. I would again decline to answer on the same grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. LISS. Same answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. SCHERER. No questions.

Mr. DOYLE. No questions.

Mrs. LISS. Am I excused?

Mr. DOYLE. Yes, you are excused.

(Whereupon the witness was excused.)

Mr. DOYLE. I think the committee had better recess for 4 or 5 minutes.

(Brief recess.)

Mr. DOYLE. Mr. Tavenner and Mr. Scherer, before we proceed I have a letter here dated March 4, 1955, from the United States District Court, Chicago, in the matter of United States against Claude Lightfoot, case No. 54 CR 462. This letter came to me in answer to my request for a copy of the remarks by the judge in that case and I want to read a couple of paragraphs from the judge's opinion here which I think are very appropriate, especially in view of the nature of the testimony of some of these witnesses and the criticisms of the committee by some of the witnesses.

Decision of Judge Philip L. Sullivan, United States District Court, Chicago, in the Lightfoot case:

I have been keenly aware that this is not an ordinary criminal case; throughout the trial, I have been sensitive to the justice of defendant's contention that it would be difficult to secure a fair verdict on this issue; and I have been

aware that many of us tend to discard our normal thinking and reactions when we hear the word "communism." For these reasons, I wish to make an exhaustive study of the evidence submitted, with a view to using my power under rule 29 of the Federal Rules of Criminal Procedure to direct a judgment of acquittal if it should appear that the verdict of the jury was not supported by evidence from which a reasonable mind could conclude guilt beyond a reasonable doubt.

This study has convinced me that the verdict of the jury was supported by the required evidence. * * *

I wish to state this decision by this distinguished federal judge following a jury trial was made within the last 7 or 8 months. So it is current. I read it particularly at this time on the question of whether or not the record and history of the Communist Party in the United States is one of advocating use of force and violence, subversive conduct toward established government.

The defendant was indicted under section 2 of the Smith Act (title 18 U. S. C. A. sec. 2385) which provides:

"Whoever organizes or helps or attempts to organize any society, group or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any such government by force or violence; or becomes or is a member of, or affiliates with, any such society, group or assembly of persons knowing the purposes thereof * * *."

The indictment charges that from on or about July 25, 1945, and continuously thereafter, up to and including the date of the indictment (May 14, 1954), the Communist Party was a society of persons advocating the overthrow of the Government of the United States by force and violence as speedily as circumstances would permit; and that the defendant was a member of that organization during the same period, knowing these purposes, and intending to bring about such overthrow by force and violence as speedily as circumstances would permit.

That defendant was a member of the Communist Party was admitted by himself as well as by his counsel, and established by formal proof.

The evidence of the Government tending to prove the "advocacy" of the party falls into several categories. First: There was evidence tending to show that: The party has "secret" members; in schools conducted by it, training was uniform and according to an established pattern; it is a highly organized group, built on well-defined administrative levels and maintaining discipline within its ranks. This evidence was of course significant as showing the deviation of the Communist Party from normal political parties, and an interference may fairly be drawn from it that significant reasons for the deviation exist.

Second: There was evidence to show its teachings and beliefs. This evidence established that the Communist Party is a political party "basing itself on the principles of scientific socialism, Marxism-Leninism." To prove the meaning of this term, there have been introduced a number of extracts from the books which have been described as the "classics" of the Marxism-Leninism. A few of these works, on which it was testified the Communist Party relies, are: Communist Manifesto; Stalin, Foundations of Leninism; Lenin, Left Wing Communism, An Infantile Disorder; Stalin, Problems of Leninism.

The extracts show that from a stated belief in the principles of Marxism-Leninism, a reasonable mind could conclude beyond a reasonable doubt a corresponding belief in the use of force and violence for the overthrow of the Government of the United States. In fact, many courts have apparently so construed them.

I find that, considering the documentary evidence, plus the testimony of the witnesses, there was evidence from which a reasonable mind could conclude beyond a reasonable doubt that the Communist Party was, during the indictment period, one which advocated the overthrow of the Government by force and violence as speedily as circumstances would permit.

Having found upon ample evidence that the advocacy of the party was of the use of force and violence for the purposes described, the jury could hardly have found that the defendant did not have knowledge of this advocacy. Considering his writings in evidence, which call for a dedication to Marxism-Leninism, and all the testimony of all the witnesses, I find that there was evidence from which a reasonable mind could conclude beyond a reasonable doubt that the defendant knew that the Communist Party advocated the overthrow of the Government of the United States by force and violence, and that he tended to bring about such overthrow by force and violence.

I wish to just make this observation for the record, and for the information of those present. I think I am accurate. If I am in error in any part of this statement, Mr. Tavenner, I wish you would correct me.

As near as I have read the record my recollection is that in every one of the 8 or 10 Federal court jury cases in this country in the last 3 or 4 years where the defendants have been prosecuted for alleged violation of the Smith Act, the cases having been tried before American juries, every American jury in each of these Federal cases has found the defendants guilty under the Smith Act. Is that correct?

Mr. TAVENNER. Mr. Chairman, I believe one or two people have been acquitted who were being tried with a number of other persons. Just now I do not recall their names or in which court that occurred.

Mr. DOYLE. Then I stand corrected. I do not have the written record in front of me.

Mr. TAVENNER. I think it was comparatively recent.

Mr. DOYLE. I wish to make this further observation, that those Federal court cases have occurred in different geographical corners of our country and it should be significant that American jurymen and women, not alone Federal judges, but Americans all acting as jurymen and women have found their fellow citizens guilty in each of these several Federal cases.

Let's proceed, Mr. Tavenner, if you are ready.

Mr. TAVENNER. Mr. John Paradise, will you come forward, please?

Mr. DOYLE. Will you please rise and raise your right hand and be sworn. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PARADISE. I do.

Mr. DOYLE. Be seated, please.

TESTIMONY OF JOHN PARADISE, ACCCOMPANIED BY COUNSEL, MORTON STAVIS

Mr. TAVENNER. What is your name, please, sir?

Mr. PARADISE. John Paradise.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Will counsel please identify himself for the record?

Mr. STAVIS. Morton Stavis, 744 Broad Street, Newark.

Mr. TAVENNER. When and where were you born, Mr. Paradise?

Mr. PARADISE. I was born in Brooklyn, N. Y., in 1912.

Mr. TAVENNER. Will you tell the committee, please what your formal educational training has been?

Mr. PARADISE. Grade-school graduate, high-school graduate, and a university graduate.

Mr. TAVENNER. What university did you graduate from?

Mr. PARADISE. New York University.

Mr. TAVENNER. What date?

Mr. PARADISE. 1935.

Mr. TAVENNER. Where were you employed in 1935?

Mr. PARADISE. I was employed by the Works Progress Administration.

Mr. TAVENNER. For a period of how many years?

Mr. PARADISE. Approximately 5 years, 4 or 5 years.

Mr. TAVENNER. In what capacity? I mean by that were you employed in an administrative capacity?

Mr. PARADISE. Part of that time.

Mr. TAVENNER. What was the nature of that employment?

Mr. PARADISE. I was employed as a field supervisor.

Mr. TAVENNER. In what area?

Mr. PARADISE. In New York City.

Mr. TAVENNER. How were you employed then in 1940?

Mr. PARADISE. In 1940 I was self-employed.

Mr. TAVENNER. In what type of business?

Mr. PARADISE. I directed a school for newly arrived emigrees from Fascist Germany and Fascist Italy.

Mr. TAVENNER. How long did you continue in that work?

Mr. PARADISE. For 3 years.

Mr. TAVENNER. What was the name of the school?

Mr. PARADISE. West Side School for Adults.

Mr. TAVENNER. After the completion of that work over a period of 3 years, how did you become employed? That brings you up to about 1943.

Mr. PARADISE. It was 1942.

Mr. TAVENNER. What was your next employment?

Mr. PARADISE. I was employed by the United Electrical, Radio and Machine Workers of America.

Mr. TAVENNER. In what capacity?

Mr. PARADISE. I was employed as a field organizer.

Mr. TAVENNER. Had you had any experience in union organizing prior to your employment?

Mr. PARADISE. Yes, sir.

Mr. TAVENNER. What was it?

Mr. PARADISE. I was active in the WPA union.

Mr. TAVENNER. What was the name of the union?

Mr. PARADISE. As far as I can recollect there were a number of unions, a number of different projects at that time, and I was employed on a number of projects and there were a number of unions. They were all WPA unions.

Mr. TAVENNER. Were they all locals in the same union?

Mr. PARADISE. As far as I can recollect, that may be true.

Mr. TAVENNER. What was the name of the overall union?

Mr. PARADISE. My best recollection, sir, is that it would be somewhere around the name of the WPA union. I don't know, sir, whether all of these locals were affiliated or not.

Mr. TAVENNER. In what area was your first work as a field organizer of the UE?

Mr. PARADISE. In Brooklyn, N. Y.

Mr. TAVENNER. How long did you continue working in Brooklyn?

Mr. PARADISE. I would say approximately about 6 or 7 months.

Mr. TAVENNER. In what year?

Mr. PARADISE. From late 1942 until some time early in 1943.

Mr. TAVENNER. Were you then assigned to some other territory?

Mr. PARADISE. Yes, sir.

Mr. TAVENNER. What was the territory?

Mr. PARADISE. New Jersey.

Mr. TAVENNER. What was your first assignment in New Jersey?

Mr. PARADISE. Elizabeth, N. J.

Mr. TAVENNER. Did you go back to New York again after that first assignment at Elizabeth, N. J.?

Mr. PARADISE. You mean in order?

Mr. TAVENNER. Suppose you just tell us what your assignments were.

Mr. PARADISE. I worked in Elizabeth, N. J., for approximately 1 year. And then I worked in western Pennsylvania and West Virginia for approximately 1 year.

Mr. TAVENNER. One year at each place, or between the two?

Mr. PARADISE. Between the two.

Mr. TAVENNER. Where did you work in Pennsylvania and in West Virginia?

Mr. PARADISE. I covered a traveling assignment that took me through western Pennsylvania.

Mr. TAVENNER. Where were your headquarters in Pennsylvania?

Mr. PARADISE. There were various headquarters.

Mr. TAVENNER. State the headquarters to which you were assigned and out of which you worked.

Mr. PARADISE. There was one headquarters in Erie, Pa.

Mr. TAVENNER. Were you assigned to work out of it?

Mr. PARADISE. Yes, sir.

Mr. TAVENNER. Give us the others, please.

Mr. PARADISE. I worked in Du Bois, Pa. I worked in Kane, Pa.

Mr. TAVENNER. Was the office of the district headquarters located in Kane, Pa.?

Mr. PARADISE. No, I worked in that area, too.

Mr. TAVENNER. What district was it?

Mr. PARADISE. District 6.

Mr. TAVENNER. Where were the headquarters for district 6?

Mr. PARADISE. Pittsburgh, Pa.

Mr. TAVENNER. Who was the president of district 6 at that time?

Mr. PARADISE. As far as I remember, I think his name was Michael J. Fitzpatrick.

Mr. TAVENNER. What was your assignment in West Virginia?

Mr. PARADISE. Organizing.

Mr. TAVENNER. In what district?

Mr. PARADISE. Same district.

Mr. TAVENNER. That continued for a year. What was your next assignment in the UE?

Mr. PARADISE. I returned to district 4.

Mr. TAVENNER. In New Jersey or in Brooklyn?

Mr. PARADISE. In New Jersey.

Mr. TAVENNER. How long did you remain in New Jersey at that time?

Mr. PARADISE. Approximately 3 years.

Mr. TAVENNER. Does that bring you up to about 1946?

Mr. PARADISE. No, sir.

Mr. TAVENNER. Up to about what time would that bring you?

Mr. PARADISE. You mean from 1946 on, those 3 years?

Mr. TAVENNER. I meant did the 3 years end at about 1946 or shortly before that.

Mr. PARADISE. Well, the 3 years began in about 1945, I believe.

Mr. TAVENNER. Then what was your next assignment?

Mr. PARADISE. My next assignment was working in district 4 in New Jersey, as I said.

Mr. TAVENNER. After the 3-year period?

Mr. PARADISE. No. I am sorry, I am slightly confused at this point.

Mr. TAVENNER. After completion of that 3-year period assignment that you just spoke of in New Jersey, where were you assigned?

Mr. PARADISE. To New York City.

Mr. TAVENNER. That began at what time?

Mr. PARADISE. Approximately 1948.

Mr. TAVENNER. And continued how long?

Mr. PARADISE. Continued for approximately 3 years.

Mr. TAVENNER. Did you then return to the State of New Jersey?

Mr. PARADISE. No, sir.

Mr. TAVENNER. Where did you go?

Mr. PARADISE. I continued to work in the State of New York outside of New York City.

Mr. TAVENNER. For how long a period did you continue to work there?

Mr. PARADISE. Approximately about 1 year.

Mr. TAVENNER. What was the nature of your employment?

Mr. PARADISE. Working for the United Electrical, Radio and Machine Workers of America.

Mr. TAVENNER. As field organizer?

Mr. PARADISE. Yes, sir.

Mr. TAVENNER. So that makes 1 year at that time in New York City. What was your next assignment?

Mr. PARADISE. Back to New Jersey.

Mr. TAVENNER. Would that be in 1952?

Mr. PARADISE. Yes, sir.

Mr. TAVENNER. What was your assignment in New Jersey?

Mr. PARADISE. I had a roving assignment.

Mr. TAVENNER. Out of what point?

Mr. PARADISE. Out of Newark.

Mr. TAVENNER. That is in district 4. Over what area were you required to travel?

Mr. PARADISE. Anywhere within the bounds of the outer limits of district 4 in Jersey.

Mr. TAVENNER. Are you currently employed as a field organizer of UE?

Mr. PARADISE. No, sir.

Mr. TAVENNER. How long did your employment continue after that assignment?

Mr. PARADISE. Until December 1954.

Mr. TAVENNER. How are you now employed?

Mr. PARADISE. I am employed as an advertising salesman.

Mr. TAVENNER. Where do you reside?

Mr. PARADISE. In Brooklyn, N. Y.

Mr. TAVENNER. During the period you were an organizer for the UE and working in district 4, did you have any official connection with the Communist Party of the State of New Jersey?

Mr. PARADISE. I must decline to answer based on my privilege under the fifth amendment.

Mr. TAVENNER. Were you a member of the Communist Party of Kings County, N. Y., during any of the period of time that you were a field organizer for UE?

Mr. PARADISE. I must decline to answer based upon my privilege under the fifth amendment.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. PARADISE. I consider that this question is an invasion of the constitutional liberties of free Americans and is a denial of the basic constitutional rights of free Americans and I refuse to answer under my privilege under the fifth amendment. And I state that this committee is violating these concepts.

Mr. DOYLE. Just a minute. You have answered the question and you have pleaded the amendment. We have no time for more speeches.

Mr. PARADISE. I am not making a speech.

Mr. DOYLE. You have answered and pleaded your constitutional privilege and if you are doing it honestly and conscientiously that is your privilege.

Mr. PARADISE. I answer honestly, and I think others do without being questioned about that.

Mr. DOYLE. Sometimes they do and sometimes we know they don't. I know this plea of the fifth amendment is reserved to all Americans.

Mr. TAVENNER. Mr. Paradise, you are a person of very wide experience in organizational work in the UE. From your testimony you have served in Brooklyn, you have served in various areas within the State of New Jersey, you have served over a great part of Pennsylvania, over a part of West Virginia, you have gone back to New York City, you have come back to the State of New Jersey. I don't know of any one who would be in a better position to give this committee facts regarding Communist Party infiltration into the leadership of UE than you are.

If you don't know of any such activities, then it would be a very significant thing with the wide experience you have had, and if you do know of it, it would be of great value to this committee if you would give such facts as are within your knowledge. Will you tell the committee whether or not you have observed activity of the Communist Party within the leadership of UE?

Mr. PARADISE. I consider that this question is a violation of my constitutional rights and I refuse to answer the question based on my privilege under the fifth amendment and the first amendment as a witch-hunting question.

Mr. TAVENNER. I have no further questions.

Mr. DOYLE. Any questions?

Mr. SCHERER. Isn't it a fact, Witness, that during the time that you had all of these assignments you were a member of the Communist Party and that you were primarily interested in serving the Communist Party rather than the United Electrical Workers Union?

Mr. PARADISE. I consider that a gross violation of my rights and an inference which you have no right to make and I invoke my privilege under the fifth amendment not to answer that question.

Mr. SCHERER. If my inference as you call it, is wrong, will you state that it is wrong? Am I wrong in making that inference?

Mr. PARADISE. I refuse to answer the question based on my privilege under the fifth amendment.

Mr. SCHERER. Then I can only assume that I am right in making the inference because you have an opportunity to state that that inference you say I have no right to make is wrong. You have full opportunity now.

Mr. PARADISE. Your committee has violated the rights of thousands of people in this country and I will not be a party to helping you to violate my rights.

Mr. SCHERER. Is that the only reason you are refusing to answer my question, because you—

Mr. PARADISE. I am relying on the United States Constitution and I invoke my privilege under the fifth amendment very happily to oppose your persecution of people.

Mr. SCHERER. Do you have a brother?

Mr. PARADISE. Do I have a brother?

Mr. SCHERER. Yes, do you have a brother?

Mr. PARADISE. Can you tell me what the purpose of that question is?

Mr. SCHERER. I am afraid I don't have to tell you the purpose of the question. I just want to know if you have a brother.

Mr. PARADISE. I have a brother.

Mr. SCHERER. What is his name?

Mr. PARADISE. I have brothers.

Mr. SCHERER. Do you have a brother who lives in Cincinnati?

Mr. PARADISE. May I know the purpose of that question?

Mr. SCHERER. No. I am just asking you to answer the question. (The witness conferred with his counsel.)

Mr. PARADISE. I know, Mr. Congressman, that you as a local politician in Cincinnati would like to have an axe to grind against people who oppose you and oppose your record in the witch hunt and I won't give you that right. I have a brother who is an honest man, makes a living honestly and his name is James Paradise. I am very proud of him.

Mr. SCHERER. That is all I wanted to know. I have no further questions.

Mr. DOYLE. No questions.

(Whereupon the witness was excused.)

Mr. JAMES PARADISE. I am James Paradise. I would like to be called now. Let's have a continuous interrogation here. I am James Paradise of Cincinnati. Have you any questions of me, sir?

Mr. SCHERER. Mr. Marshal, I have no questions to ask the gentleman.

Mr. JAMES PARADISE. I didn't think you would.

Mr. DOYLE. Proceed, Mr. Tavener.

Mr. TAVENER. Katherine Hoffman.

Mr. DOYLE. Please rise. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss HOFFMAN. I do.

Mr. DOYLE. Thank you.

TESTIMONY OF KATHERINE HOFFMAN, ACCOMPANIED BY COUNSEL, MORTON STAVIS

Mr. TAVENER. What is your name, please?

Miss HOFFMAN. Katherine Hoffman.

Mr. TAVENER. Will counsel please identify himself for the record.

Mr. STAVIS. Morton Stavis, 744 Broad Street, Newark.

Mr. TAVENNER. Where were you born?

Miss HOFFMAN. I was born in Russia.

Mr. TAVENNER. What is the date of your birth?

Miss HOFFMAN. October 1, 1904.

Mr. TAVENNER. When did you first come to this country?

Miss HOFFMAN. 1906.

Mr. TAVENNER. Are you a naturalized American citizen?

Miss HOFFMAN. I am.

Mr. TAVENNER. When and where were you naturalized?

Miss HOFFMAN. I don't recollect the date. I can give you the area, if that will be all right. Some time between, I don't know, between 1926 and 1927, somewhere around there maybe 1928. Must have been after 1926, probably 1927 or 1928.

Mr. TAVENNER. In what court?

Miss HOFFMAN. It was in Connecticut.

Mr. TAVENNER. Where?

Miss HOFFMAN. Hartford.

Mr. TAVENNER. Hartford, Conn.?

Miss HOFFMAN. Yes.

Mr. TAVENNER. Were you naturalized under your present name?

Miss HOFFMAN. Yes, sir.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Miss HOFFMAN. Grammar school and high school, graduate.

Mr. TAVENNER. Do you now live in Newark?

Miss HOFFMAN. East Orange.

Mr. TAVENNER. How long have you lived in East Orange?

Miss HOFFMAN. Close to 2 years.

Mr. TAVENNER. Prior to that where did you live?

Miss HOFFMAN. In Newark.

Mr. TAVENNER. How long did you live in Newark?

Miss HOFFMAN. I believe with one interruption of about a year and a half I have lived continuously in Newark from 1938 to approximately 2 years ago.

Mr. TAVENNER. Where did you live during that year and a half when you say you were absent from Newark?

Miss HOFFMAN. I was sick and part of the time I was in Florida recuperating and part of the time in Massachusetts recuperating.

Mr. TAVENNER. What has been your occupation during the period you have lived in Newark?

Miss HOFFMAN. It is a long question. I was an officeworker hired by what was then called the Committee for Industrial Organization, which was not the official CIO that was set up nationally, but was set up for this area to organize the unorganized on an industrial basis and it was composed of a number of independent unions, some of the unions which had set up organizing committees like textile workers organizing committee, rubber workers organizing committee, steelworkers organizing committee, and some AFL unions, including the United Electrical Workers Union.

Mr. TAVENNER. How long were you employed in that capacity?

Miss HOFFMAN. Well, I became a double capacity because on the opening of the office the then Governor Hoffman (no relation)

announced to the press that he was going to drive the Reds out and there would be no organization of sitdown strikes in New Jersey.

They gave the office address and we weren't set up yet to handle the question of actual organization, but he gave them 81 Academy Street, and the first thing I knew was everybody and his uncle was down, we are on strike, and what do I do next? That was my dual capacity. I learned I could organize and I began organizing and negotiating contracts and winning some demands so far as the workers were concerned, and in all kinds of industries.

Mr. TAVENNER. You say you went in to organizational work?

Miss HOFFMAN. Yes.

Mr. TAVENNER. Was that in connection with a union?

Miss HOFFMAN. It was in connection with the Committee for Industrial Organization and I organized it, started the organization of workers, for instance in congoletum in either Harrison or Kearney I started with the first group that wanted organizing and then the union in the field as it began to go they would send the official organizer in and he took over from there. I did not organize for any specific union. I was employed by the committee as a whole.

Mr. TAVENNER. How long did you work as an organizer in that capacity for the CIO?

Miss HOFFMAN. As I told you before, it was dual capacity because I was officeworker as well as the other.

I continued in that capacity. I think the CIO finally set up regional offices, I continued in that regional office setup working for the national CIO, and then I just don't remember dates, probably 1939, and then I went to work, then it was the same people, but set up an official State CIO organization. And I went to work for the State CIO organization as an officeworker, and I no longer did any organizing work after that and, of course, was always a member of the office workers union.

Mr. TAVENNER. How long did you continue to work for the CIO in that capacity?

Miss HOFFMAN. I worked for the State CIO, you will have to bear with me so far as time is concerned. Time seems to have got together a little bit, it is so long ago, but I worked for the State CIO; may have been a year, 2 years, I am not sure; and I didn't feel that the work of an officeworker was what I wanted to do and I was able to apply for and get the job of administrative assistant to the Greater Newark CIO Council, which was the local council. The State council encompassed the State, the Greater Newark Council encompassed the Essex and West Hudson area.

Mr. TAVENNER. Did that begin in about 1940 or 1941?

Miss HOFFMAN. 1941, I believe; I am not sure.

Mr. TAVENNER. How long did you continue to work in that capacity?

Miss HOFFMAN. Then I became an official delegate from my union to the council and I was elected an officer to the council; no longer hired. I was elected secretary-treasurer of the Greater Newark Council and I continued in that capacity taking on added duties, I believe, when PAC was formed, and became the chairman of the Essex-West Hudson pact. When PAC, CIO Political Action Committee was formed, that is when I became active in it. It may be 1942 or 1943, somewhere around there.

The reason I was elected to that particular office was because in the process of the work as secretary-treasurer of the Greater Newark CIO Council, we had occasion, the council as such had occasion in conjunc-

tion with a number of AFL unions to band together to form, I don't remember the name of the committee, but it was an official AFL-CIO committee, to defeat Hartley. That was the project we embarked on. I believe that our first campaign in the primaries—

Mr. TAVENNER. I didn't mean to ask you to give us a history of the campaigns. It is your employment I wanted.

Miss HOFFMAN. That was my employment. I just wanted to show you why I was elected chairman.

Mr. TAVENNER. I don't want to cut you off on anything regarding your employment.

Miss HOFFMAN. That was my employment.

Mr. TAVENNER. Proceed.

Miss HOFFMAN. We almost defeated him by 42 votes in the primary that year.

Mr. TAVENNER. Continue with your employment.

Miss HOFFMAN. We learned as we went along and in 1943 we participated in the election campaign. In 1944 it was the peak. I say that is the peak because I found that we were able to organize our entire membership, all of the CIO unions, in this area in conjunction then with the official committee of the Essex Trades Council, AFL. We were, there were cochairmen, I was the one representing CIO, and we did a job in Essex County that got national commendation. We did something that no one said was possible. We cut the normal Republican majority of fifty-odd thousand in Essex County to 4,800 and we elected Roosevelt because New Jersey went Roosevelt as a result of that.

Mr. TAVENNER. Your employment then continued with the CIO up to what time?

Miss HOFFMAN. As a result of these works I put myself wholeheartedly in them, and I remember one meeting I attended I was introduced as the workhorse of the CIO. I was quite offended. I didn't realize what I had put into the campaign but after that in 1945 I had a breakdown, was gone for the summer, came back in time for election campaign in 1946, the same thing, I finally broke down completely and was out. I have never recovered my health so therefore I have never been in this type of activity again.

I continued for the year or year and a half, whatever the period was that I was gone, I was sick, the doctors told me I should never come back or do this work. I tried it anyway, I came back in 1948 and was again—I don't think I was elected because I came back in the middle of a term. It was a resignation and I was made, appointed executive secretary of the Greater Newark CIO Council, and I continued until the council, we will say some time the end of 1948, the council was dissolved and in effect I helped dissolve the council, a new council was set up and I was a member of a committee that helped to write the new constitution, participated in the election of officers, but I did not run for office. That was 1948.

Mr. TAVENNER. You said you left the CIO about that time.

Miss HOFFMAN. Yes.

Mr. TAVENNER. What was your next employment?

Miss HOFFMAN. I was unemployed.

Mr. TAVENNER. You had no other employment?

Miss HOFFMAN. Yes; I did. I was still trying to get back into the political field and I think, I am not sure about this, but it probably

was about 2 months or maybe less than that that I worked for the Progressive Party in one of their campaigns in 1949.

Mr. TAVENNER. Is there any other employment you can think of?

Miss HOFFMAN. Yes. In November of 1949 I became the administrative assistant to the trustees of the UE health and group insurance fund and I am still employed in that capacity.

Mr. TAVENNER. Where were your headquarters?

Miss HOFFMAN. Newark.

Mr. TAVENNER. In the district office?

Miss HOFFMAN. The fund rents office space in the district office; yes.

Mr. TAVENNER. How long were you employed by the UE?

Miss HOFFMAN. I have never been employed by the UE. I am employed by the UE health and group insurance fund. That is completely autonomous and separate from the union.

Mr. TAVENNER. Well, you certainly have been active.

Miss HOFFMAN. I tried hard.

Mr. TAVENNER. I have information that you were active in other matters in which you had a perfect right to be active without criticism. This committee was sponsoring a bill which it conceived to be very important, put in many years of work on it. That bill finally went over to the United States Senate and the United States Senate conducted public hearings on it. Many people were invited to express their opinions on it, both before this committee and before the Senate Committee.

I have before me the record of the Senate hearings which shows that you protested—it is entitled, "Protest Statement" from Katherine Hoffman, executive secretary of the Greater Newark CIO Council. This is when you were a member of the council. And that was made a part of the record just as other statements were.

There is one statement you made which I am going to quote as a basis for questions I want to ask you. I quote this paragraph:

In our unions there are Communists. We have found them among our most active workers. Their personal political convictions are their own business. This bill would see the rest of us jailed or intimidated and prevented from continuing our work for an ever-increasing standard of living, for securing racial equality, actual civil rights, in securing the right to vote for all and to continue to support or oppose legislation and legislators.

From that statement of yours with reference to Communists in your union being among your most active workers, I want to ask you what is your basis for the knowledge that Communists are "among the most active workers" in your unions?

(The witness conferred with her counsel.)

Miss HOFFMAN. What is that—I would like to see the statement, if I may.

Mr. TAVENNER. I thought I had explained it fully.

Miss HOFFMAN. You didn't say in conjunction with what.

Mr. TAVENNER. I will explain it more fully and I will give it to you to see, if you like. I explained that the Senate of the United States—that is, the Committee on the Judiciary of the Senate of the United States—conducted hearings on a bill which had its origin before this committee to determine whether it was a proper bill to pass and whether it should be passed in the form as presented. Many people appeared before that committee as they did before this committee taking positions for and positions against the passage of the bill.

Before the Senate Committee we find in the printed record a protest statement from Katherine Hoffman, executive secretary of the Greater Newark CIO Council, and this was in 1948 and you have advised us that in 1948 you were executive secretary of the Greater Newark CIO Council.

That is what this document is. Now I will read again to you this statement that is the basis for my question. Your statement printed in the report of the Committee on the Judiciary of the Senate says this (quoting you):

In our unions there are Communists. We have found them among our most active workers.

Now I asked you what the basis is for your statement that you have found Communists among the most active workers in your unions.

(The witness conferred with her counsel.)

Miss HOFFMAN. May I see the statement, please?

Mr. TAVENNER. I have underscored what I have just read.

Miss HOFFMAN. Thank you. I see that this is a letter in conjunction with the Mundt-Nixon bill which was defeated at that time because people were less afraid than they are today.

Mr. TAVENNER. Maybe it is a question of their not having been quite as aware as they are today.

Miss HOFFMAN. And that the New Jersey Governor's Committee on Civil Liberties also stated "The rights of free speech will not long endure if exceptions to its enjoyment may be raised on the current unpopularity of a minority group."

Mr. TAVENNER. Mr. Chairman, the witness is evading my question and not answering it.

Miss HOFFMAN. I shall answer.

Mr. TAVENNER. Will you do so?

Miss HOFFMAN. I shall be very glad to answer that by saying that I decline to answer and assert my privilege with regard to it.

Mr. DOYLE. May I interrupt, because I haven't seen that. In other words, you, Miss Hoffman—you and your counsel took four and a half minutes.

Miss HOFFMAN. I am sorry.

Mr. DOYLE. You are welcome to that time or any more, but I wanted the record to show I couldn't help but notice you took four and a half minutes to read it and confer with your counsel. I wanted the record to show you did have time and opportunity to read it.

As I understand it, you made a public declaration before the Senate Judiciary Committee of the United States Senate in 1948 in your official capacity as executive secretary of the Greater Newark CIO Council, which was printed by the United States Senate Committee on the Judiciary, to the effect that you had Communists in your unions, very active Communists. You told the people of the world because you made that public declaration and this booklet was published by the taxpayers of the United States. Because we pay the bill, all of the taxpayers. You helped pay for the publishing of your own statement if you paid taxes.

Now do I understand that you declared in 1948 publicly to the Senate that there were active Communists in your unions. You wouldn't have said it if you didn't know who they were. I assume you wouldn't have made that declaration if you weren't worried about it or at least had knowledge about it and now you are claiming the

privilege instead of helping this committee to find out the extent of infiltration of Communists in the then unions.

That is how I interpret your statement. I would assume that you as a former paid secretary of the CIO would come into this committee and help this congressional committee. Were you here the other day when I read the statement of Walter Reuther?

Miss HOFFMAN. No.

Mr. DOYLE. Well, I will just read this sentence from Walter Reuther. I read his whole statement yesterday:

However, we in UAW-CIO sincerely urge every witness called before the House Un-American Activities Committee that if it is at all possible to do so to avoid using the fifth amendment.

Miss HOFFMAN. At the same time he protects every one from being fired off the job for using the fifth amendment, as a union leader should.

Mr. DOYLE. You are welcome to take his statement and read it. But I am very frank to say that I have always understood since CIO had a showdown with communism in labor unions that you people who had been paid employees by CIO during that period could be looked to to help the United States Congress further in our investigations to clean out subversives. I am disappointed that I may find myself in error.

Miss HOFFMAN. Since 1938 we have been constantly hounded and called Reds at every single turn and we have—CIO have fought back and fought back and Phil Murray said over and over again that the harassment had to cease, that it interfered with legitimate union functions and there has absolutely been no question whatsoever.

The only reasons that any time in my experience in which I was directly affected the question of Red came in when we were organizing, the cry of Red came in when PAC, as a matter of fact I once got a message sent by some politicians saying, "Tell that woman to stop it or she is going to be sorry."

There were all kinds of threats and all kinds of things going on. We continued and we could only continue because the people whom we represented told us to go ahead. This was what they wanted us to do.

Mr. DOYLE. I know, Miss Hoffman, but here is a committee of your own United States Congress charged with a public statute, Public Law 601, we are operating under that statute, with which you are very familiar, and in which our official duty, that of Mr. Scherer and I today here, yesterday, and tomorrow, is to investigate its extent and character and methods used by the Communist Party in and around Newark. That is why we are here and you know it.

I am frank to say as one American citizen to another that I would expect of you in the official position and the official position you have now with the UE to help your own—

Miss HOFFMAN. I have no official position with the UE.

Mr. DOYLE. You are paid by the fund, union funds.

Miss HOFFMAN. It is separate.

Mr. DOYLE. Relief funds, pension funds, welfare funds of the UE.

Miss HOFFMAN. It is separate. It has nothing to do with the union.

Mr. DOYLE. It is one and the same effort in the community to help union labor.

Miss HOFFMAN. That it is.

Mr. DOYLE. But I would expect, very frankly, that you, having made that public declaration in the United States Senate, wouldn't refuse to help the United States Congress know the methods and who used those methods.

Miss HOFFMAN. I read the papers Monday and I tell you I am going to stand on my privileges.

Mr. SCHERER. Did you appear before the Senate and make the statement as appears there?

Miss HOFFMAN. It was a letter sent in. I did not appear.

Mr. SCHERER. You sent the letter?

Miss HOFFMAN. That is right.

Mr. SCHERER. Was what that you said in the letter true?

Miss HOFFMAN. I decline to answer on the same grounds.

Mr. SCHERER. You mean you won't tell us now whether what you——

Miss HOFFMAN. Come on, Congressman, I decline to answer on the same grounds. I have been here all day and I just don't want that.

Mr. SCHERER. All I am asking you is whether what you said to the Senate of the United States in a letter was true or untrue.

Miss HOFFMAN. I must decline on the same grounds that I stated before.

Mr. SCHERER. I get more confused all the time.

Mr. DOYLE. I don't, Mr. Scherer. I don't get more confused. It appears more and more crystal clear to me the extent of the Communist conspiracy.

Miss HOFFMAN. I resent that. I don't think that was right.

Mr. DOYLE. I am not referring to you personally unless it fits, but I am saying the extent of the Communist conspiracy appears more and more crystal clear to me. I am not charging you with being a Communist at the present time, but if you are you know better than anyone else. I don't pull any punches. I let them hit where they belong.

Mr. TAVENNER. Will you tell me whether you at any time taught in the Walt Whitman School on Broad Street in Newark?

(The witness consulted with her counsel.)

Miss HOFFMAN. I decline to answer that.

Mr. TAVENNER. That is an activity you didn't tell us about a while ago when you were going into such great detail.

Miss HOFFMAN. You asked me about my employment. I gave you all my employment.

Mr. TAVENNER. Don't you consider teaching in that school employment; you are making that distinction?

Miss HOFFMAN. I decline to answer that question on the same grounds. That is, the privilege of the fifth amendment.

Mr. TAVENNER. I am not sure you have given us now a full account of your employment. Did you also become active in an organized group of the Communist Party?

Miss HOFFMAN. I decline to answer any such questions on the same grounds as I stated before.

Mr. TAVENNER. Were you a member of the Communist Party at the time that you wrote this protest to the United States Senate——

Miss HOFFMAN. Same answer.

Mr. TAVENNER. When you said that Communists were among the most active workers in your union? Were you one of the most active workers who was a Communist?

Miss HOFFMAN. Same answer.

Mr. TAVENNER. Were you a member of the Communist Party during the period of time you were working for the UE?

Miss HOFFMAN. I have never worked for UE, but I decline to answer the question.

Mr. TAVENNER. You have stated that you worked in connection with an insurance fund for the UE and that you were not actually paid by the UE.

Miss HOFFMAN. That is right.

Mr. TAVENNER. During that period of time that you were acting in that capacity in connection with the insurance fund, did you attend Communist Party meetings composed in the main of members of the UE?

Miss HOFFMAN. Same answer as before on the same grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Miss HOFFMAN. Same answer on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. DOYLE. Any questions, Mr. Scherer?

Mr. SCHERER. I have no questions.

Mr. DOYLE. In view of your question to the witness as to whether or not she taught school at Walt Whitman School in Newark, N. J., I refer to pages 161 and 162 of the Guide to Subversive Organizations printed by this committee in 1951, and I see in the consolidated list of organizations previously designated as in Executive Order No. 9835 by letters of November 24, 1947, May 27, 1948, April 21, 1949, July 20, 1949, September 26, 1949, August 24, 1950, September 1950, according to the classifications of section 3, part 3 of the Executive order, that there is listed by the Attorney General of the United States of America as Communist, the Walt Whitman School of Social Science, Newark, N. J. as being one of the list.

I would say, Miss Hoffman, that the United States Congress is certainly interested in what the American children are being taught in any school and so are you, I am sure.

Miss HOFFMAN. That is right.

Mr. DOYLE. Now can you not help us to this extent? What was the curriculum at this Walt Whitman School when you taught there, as we believe you did?

Miss HOFFMAN. I have answered that question, that I would decline.

Mr. DOYLE. You were asked whether or not you taught there.

Miss HOFFMAN. Yes.

Mr. DOYLE. I am asking you maybe the same question in another way.

Miss HOFFMAN. After you said it was on the subversive list I decline to answer on the same grounds I did before, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. I hope you have a change of heart before too long. You are in a position to help your own country very much. Maybe you are so far away from those activities now that you could afford to do it without being personally embarrassed.

I have no other questions. You are excused.

(Whereupon the witness was excused.)

Mr. TAVENNER. Mr. Walter Poleshuck.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. POLESHUCK. I do.

**TESTIMONY OF WALTER S. POLESHUCK, ACCCOMPANIED BY
COUNSEL, HOWARD A. GOLDBERGER**

Mr. TAVENNER. What is your name, please?

Mr. POLESHUCK. Walter S. Poleshuck.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. POLESHUCK. I am, sir.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. GOLDBERGER. Howard A. Goldberger, 744 Broad Street, Newark, N. J.

Mr. TAVENNER. When and where were you born?

Mr. POLESHUCK. I was born in Newark, N. J., January 26, 1923.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. POLESHUCK. I graduated from West Side High School in 1940 in Newark, N. J., where I got the Bamberger award for citizenship and thereupon I attended the University of Pennsylvania for a period of 2½ years, when I enlisted in the United States Army and I received, after having been discharged from the Army, a degree in *absentia* from the University of Pennsylvania, even though I had not completed all my courses, which was the policy of the university at that time. After that I took 1 or 2 odd courses here and there, 1 at NYU night school. That is it.

Mr. TAVENNER. When did you return from service in the Army?

Mr. POLESHUCK. It was early in 1943, probably around March.

Mr. TAVENNER. Will you tell the committee, please, what employment you accepted after your return from the United States Army?

Mr. POLESHUCK. I was hired as a junior accountant at \$25 a week by the firm of Puder & Puder in Newark.

Mr. TAVENNER. How long did you continue in that employment?

Mr. POLESHUCK. I worked for them a period of less than a year, I believe, something like 9 months.

Mr. TAVENNER. What was your next employment?

Mr. POLESHUCK. As a junior accountant at the firm of J. H. Cohen & Co., also in Newark.

Mr. TAVENNER. How long did you continue in that capacity?

Mr. POLESHUCK. I continued in that capacity for a period of approximately a year and 2 or 3 months.

Mr. TAVENNER. Will you just take it from there and bring your employment up to recent date?

Mr. POLESHUCK. At that time I determined 2 years of accounting was enough for my stomach and I went into work for my father, who owned a store in Newark, a liquor store, and delicatessen store, and I stayed with him for I think about 2 years—what year are we up to now—for approximately 2 years. At that time my father and I were getting along very well in the family relationship but not in a business relationship—I determined that the retail business was not for me and I was hired as a sort of small-time office manager for a firm also in

Newark known as Sunglass Industries, where I was in charge of 3 or 4 women and I did the bookkeeping in the office. I was employed there for a period of approximately a year, at which point I together with my wife came to the decision that office work just was not for me and I couldn't stand it any more, and since I had already tried the retail business and I didn't like that either that I would then proceed to look for a job elsewhere, which I proceeded to do.

I was hired in the Lincoln-Mercury plant of the Ford Manufacturing Co. in Metuchen, N. J. where I lasted 1 week. Couldn't take the job. That wasn't for me. It was a job known as the duckpond in which if you got behind you wound up working on your knees in water and I was working on my knees in water for a week, so I left.

After that within approximately a week after that I was hired at the Singer Manufacturing Co. at Elizabeth, I believe the actual date is November 1, 1948, and I have been there ever since.

Mr. TAVENNER. During your employment since 1948 at Singer have you been a member of a union having bargaining rights with that company?

Mr. POLESHUCK. I have been a member of two unions having bargaining rights. I joined the United Electrical Workers, which was the bargaining agent at the Singer Manufacturing Co. within a couple of months after having been hired. I don't remember exactly how long. And when the International Union of Electrical Workers, the IUE gained bargaining rights, I joined that also within a very short period of time.

Mr. TAVENNER. When did you join the IUE?

Mr. POLESHUCK. Within a couple of weeks after the final bargaining unit election between UE and IUE, which was some time in the fall of 1950, I believe.

Mr. TAVENNER. During the period you were affiliated with the UE did you hold any position such as steward or organizer?

Mr. POLESHUCK. I was sergeant-at-arms. That was the only position I ever held with UE, elected position.

Mr. TAVENNER. After you became a member of the IUE, have you held any positions?

Mr. POLLSHUCK. I am at present an executive board member, chief department steward of the third largest department, one of the editors of the local newspaper, member of the five-man plant grievance committee, member of the Political Action Committee, Civil Rights Committee, delegate to the Union County CIO Council. That is about all I can think of at the moment.

Mr. TAVENNER. During the period of time that you have held those positions in IUE, have you been a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. POLESHUCK. I, with a sense of duty and obligation to my country, exercise my rights as they were meant to be exercised under the Constitution of the United States to protect the innocent and I refuse to answer that question or any other similar question on the grounds of the fifth amendment that provides me with the right not to be a witness against myself.

Mr. TAVENNER. Were you a member of the Communist Party during the period of time that you were sergeant at arms of the UE?

Mr. POLESHUCK. I refuse to answer that question on exactly the same grounds as before.

Mr. TAVENNER. In leaving the UE and in joining the IUE were you asked at any time by those responsible for your selection to the important positions you now hold whether or not you were a member of the Communist Party?

Mr. POLESHUCK. That one I will need legal advice on.

(The witness conferred with his counsel.)

Mr. POLESHUCK. Would you mind repeating it because I am not too clear on it. I thought maybe he got it.

Mr. TAVENNER. Read it, please.

(The reporter read from his notes as requested.)

(The witness conferred with his counsel.)

Mr. POLESHUCK. Would you answer whether or not you are referring to elected offices, appointed offices or what kind of offices in the union?

Mr. TAVENNER. If that is troubling you, let's take the appointive offices.

Mr. POLESHUCK. Appointive offices.

Mr. TAVENNER. Would there be a difference in your answer?

Mr. POLESHUCK. I don't know.

Mr. TAVENNER. Let's take it piece by piece.

(The witness conferred with his counsel.)

Mr. POLESHUCK. Well, I was elected to practically every—

Mr. TAVENNER. My question related to appointive office.

Mr. POLESHUCK. I don't know of any appointive office I have. I belong to certain committees which are not elected committees but which any member of the local has a right to belong to. As far as appointive offices, I don't believe I have any. I wasn't appointed anything by anyone. I was elected to certain offices.

Mr. TAVENNER. It seemed to me that from the executive board that you were a member of, that you had been appointed by that executive board to certain committees. That is what I understood you to say.

Mr. POLESHUCK. No, it doesn't work that way in our local. Our local is a sufficiently democratic one that any member of our local, the entire 5,000 membership, has a right to be active on any committee without appointment or approval by anyone. So that there is not appointive offices that I know of. But as far as the other question is concerned, the only way I know how to answer that is that the thousands of people who voted for me and who elected me were satisfied in their own minds based on many things which I said, but to the particular question which you asked me here it seems I have again no alternative but to refuse to answer on the grounds of the fifth amendment that I will not be a witness against myself, and I would like to add again that I am using this as I think it was intended to be used by our forefathers.

Mr. TAVENNER. You stated that the rank and file members of your union were satisfied because of the statements that you made. Did you represent in the course of your election that you were not a member of the Communist Party? Is that the sort of representation to which you were referring?

Mr. POLESHUCK. As any member of the bar in this country is much more aware than I am, I must answer that question precisely as I have the others. I refuse to answer on the grounds of the fifth amendment.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. POLESHUCK. I refuse to answer on the grounds of the fifth amendment.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Mr. Poleshuck, my interest in young people of course is similar to yours.

Mr. POLESHUCK. I have three sons, if that is what you mean.

Mr. DOYLE. Well, stay as close to them as you can because you never know how long you will have them.

Mr. POLESHUCK. I intend to.

Mr. DOYLE. But am I in error that at one time you were the director of the youth club or group here in Newark?

(The witness conferred with his counsel.)

Mr. POLESHUCK. I invoke my rights under the fifth amendment.

Mr. DOYLE. I haven't said anything about the Communist Party.

Mr. POLESHUCK. Mr. Congressman, you are as aware as I am that you are probably asking something which will lead to something else.

(The witness conferred with his counsel.)

Mr. POLESHUCK. I decline to answer on the basis of the fifth amendment and rights granted me thereunder.

Mr. DOYLE. Well, I am frank to say that of course our information is that you were chairman of the youth club of the Communist Party in Newark and I was going to ask you a sincere question whether or not that is true, and what the program of the youth club of the Communist Party was at the time that you were chairman of the group. Would that incriminate you in some way?

Mr. POLESHUCK. Is that a question that you are asking me—will that incriminate me?

Mr. DOYLE. Yes.

(The witness conferred with his counsel.)

Mr. POLESHUCK. I decline to answer on the grounds of the fifth.

Mr. DOYLE. Very well.

Mr. TAVENNER. I have no further questions.

Mr. SCHERER. I have no questions.

Mr. DOYLE. The witness is excused.

(Whereupon the witness was excused.)

Mr. POLESHUCK. I would like to state I have done my duty to my country in not cooperating with this committee.

Mr. DOYLE. Evidently we are not wrong on the information we had about you.

Mr. POLESHUCK. You can infer anything you wish, Mr. Congressman, and I am sure you will.

Mr. DOYLE. You take care of those three sons. You are lucky to have them.

Mr. POLESHUCK. I have all intentions of so doing, Mr. Congressman.

Mr. DOYLE. Before the committee recesses until tomorrow morning at 9:30, I feel this is the place where we should not overlook our privilege and pleasure of putting into the record our appreciation and thanks to specific public officials and groups who have helped us arrange for these meetings.

First is the distinguished Judge William Smith, Federal judge; Bailiff Edward Connolly; distinguished Judge Meany; Michael Keller, assistant clerk of the court; Joseph Job, United States marshal;

George Parozza, chief deputy United States marshal; Augustus F. Horn, chief field deputy United States marshal; Chief of Police Donald Grover; Capt. Richard Clement, police department, Toms River, N. J.; Harold Friend, Ernest J. Gyarnati, William T. Kelly, Clinton J. Longstreet, Franklin F. Loprete, Leo A. Mault, Nicholas J. Meola, Stanley C. Miller, and Joseph E. Sojka.

These gentlemen will pardon me if I have not correctly pronounced their names. These are most helpful deputy marshals and officers and they have helped as public officials.

I want the record at this time to show that we appreciate the cooperation of the press, photographers thereof, reporters thereof, in helping to keep the hearing room so quiet.

Is there any other business before this session of the committee, Mr. Tavenner?

Mr. TAVENNER. No, sir.

Mr. JAMES PARADISE. Did you have a piece of unfinished business?

Mr. DOYLE. We are going to leave the record as it is in the matter about which you spoke.

Mr. JAMES PARADISE. Are you going to allow that malicious piece of name dropping to remain in the record, and malicious name dropping is all it was, and Mr. Scherer knows it.

Mr. DOYLE. The committee will stand in recess until tomorrow morning at 9:30.

(Whereupon, at 5:20 p. m. the committee was recessed, to reconvene at 9:30 a. m. the following day, Thursday, May 19, 1955.)

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE NEWARK, N. J., AREA—PART II

THURSDAY, MAY 19, 1955

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Newark, N. J.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met at 9:30 a. m. pursuant to recess, in the United States Court House, Newark, N. J., Hon. Francis E. Walter, chairman of the full committee, presiding.

Committee members present: Representatives Francis E. Walter, Clyde Doyle, and Gordon H. Scherer.

Staff members present: Frank S. Tavenner, Jr., counsel, and Courtney E. Owens, investigator.

The CHAIRMAN. The committee will come to order.

Mr. TAVENNER, have you a witness?

Mr. TAVENNER. Mr. David Rocklin, will you come forward, please?

The CHAIRMAN. Will you stand up and hold up your right hand. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROCKLIN. I do.

The CHAIRMAN. Proceed, Counsel.

TESTIMONY OF DAVID ROCKLIN, ACCCOMPANIED BY COUNSEL, HARRY SACHER

Mr. TAVENNER. State your name, please.

Mr. ROCKLIN. David Rocklin. R-o-c-k-l-i-n.

Mr. TAVENNER. It is noted you are accompanied by counsel. Will counsel please identify himself for the record.

Mr. SACHER. Harry Sacher, 342 Madison Avenue, New York 17.

Mr. TAVENNER. When and where were you born, Mr. Rocklin?

Mr. ROCKLIN. Poland, October 4, 1899.

Mr. TAVENNER. When did you first come to this country?

Mr. ROCKLIN. 1908.

Mr. TAVENNER. Have you resided in the United States constantly since that time?

Mr. ROCKLIN. Yes, sir.

Mr. TAVENNER. You have not been out of the continental United States since you first arrived?

Mr. ROCKLIN. I have taken trips to Mexico and Canada, pleasure trips.

Mr. TAVENNER. But to no other countries?

Mr. ROCKLIN. No, sir.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. ROCKLIN. Public school and 2 years of high school, in New York.

Mr. TAVENNER. Where do you now reside?

Mr. ROCKLIN. In Newark.

Mr. TAVENNER. How long have you lived in Newark?

Mr. ROCKLIN. Since 1930.

Mr. TAVENNER. Will you tell the committee, please, what your employment has been in Newark since 1940?

Mr. ROCKLIN. Self-employed to 1951.

Mr. TAVENNER. What was that employment?

Mr. ROCKLIN. Optician.

Mr. TAVENNER. That is until 1951?

(The witness conferred with his counsel.)

Mr. ROCKLIN. From 1951 to 1953, I decline to answer.

Mr. SCHERER. What was the question?

Mr. TAVENNER. What was his employment record.

The CHAIRMAN. Why do you refuse to answer?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to be a witness against myself under the fifth amendment.

The CHAIRMAN. By that am I to understand you to mean that if you did answer the question you might subject yourself to a criminal prosecution?

Mr. ROCKLIN. I didn't say that.

The CHAIRMAN. I know what you said, but I am asking you if that is what you meant.

Mr. ROCKLIN. I refuse to be a witness against myself, that part of the Constitution that gives me that right.

Mr. TAVENNER. What has been your employment since 1953?

Mr. ROCKLIN. 1953 I still worked as an optician in Paterson.

Mr. TAVENNER. Are you still engaged in that business in Paterson?

Mr. ROCKLIN. Not in Paterson, I now work in Newark.

Mr. TAVENNER. When did you transfer your business from Paterson to Newark?

Mr. ROCKLIN. In February 1955.

Mr. TAVENNER. Is it the same business?

Mr. ROCKLIN. It is not my business. I am an optician and I work for somebody.

Mr. TAVENNER. It was your business, wasn't it?

Mr. ROCKLIN. Up to 1951. Then I sought employment.

Mr. TAVENNER. Will you tell us, please, what your address was in 1950?

Mr. ROCKLIN. 525 Elizabeth Avenue, Newark.

Mr. TAVENNER. Where were you living in 1949?

Mr. ROCKLIN. Same address.

Mr. TAVENNER. Is that your present address?

Mr. ROCKLIN. No, sir.

Mr. TAVENNER. Where did you reside in 1948?

Mr. ROCKLIN. 525 Elizabeth Avenue.

Mr. TAVENNER. What is your present address?

Mr. ROCKLIN. 109 Hillside Avenue, Newark.

Mr. TAVENNER. Mr. Rocklin, there was introduced in evidence during the course of the testimony of Mr. Moroze a copy of a certificate of deposit. I hand you a similar copy. Your name as treasurer appears on this certificate of deposit, which is entitled "Bail Fund of the Civil Rights Congress of New Jersey."

Will you examine it, please, and state whether or not in 1949, the date of that certificate, you were the treasurer of the Civil Rights Congress?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that question on the same grounds, same reasons.

Mr. TAVENNER. Will you examine the certificate again and state whether or not you see a list of four names of persons who were trustees of the bail fund?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that question.

Mr. TAVENNER. You decline to answer whether you see it on the document?

Mr. ROCKLIN. I see it on there.

Mr. TAVENNER. Is your name 1 of the 4 appearing as trustees?

Mr. ROCKLIN. I decline to answer that.

Mr. TAVENNER. For the record I would like to say that David Rocklin's name does appear as one of the trustees of the bail fund.

Mr. DOYLE. I am sure, Mr. Tavenner, I heard the witness say that he did see his name on there.

Mr. SACHER. The witness did not so state.

Mr. DOYLE. If there is any question about it, let's have the record read. You may not have heard him say that, but I am quite sure I heard him say it. I request that the stenographer read the record so there will be no question about what the witness said.

Mr. TAVENNER. I asked if he saw four names. I am confident my question was if he saw the names of four people. I had not asked him at that time who the four were.

Mr. DOYLE. I think he volunteered he saw his name there.

Mr. SACHER. That is not so.

Mr. DOYLE. I think the record will so show.

Mr. TAVENNER. One provision of the bail fund certificate of deposit is that the trustees of the bail fund shall have sole authority under the regulations and resolutions adopted by the board of trustees to determine for whom bail shall be posted. I would like to ask you whether you participated in decisions to determine for whom the bail should be posted, under the bail fund of the Civil Rights Congress of New Jersey.

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer on the same grounds and for the same reasons.

Mr. TAVENNER. Will you tell the committee, please, how much money was raised for bail-fund purposes by the use of certificates of deposit similar to the one I exhibited to you?

Mr. ROCKLIN. I decline to answer for the same grounds and same reasons.

Mr. TAVENNER. Do you know whether or not the proceeds of any of these certificates of deposit were used as bail for defendants under the Smith Act in States other than the State of New Jersey.

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that question on the same grounds and for the same reasons.

Mr. TAVENNER. Will you tell the committee, please, whether there has been any occasion when the bail funds of the Civil Rights Congress were used for a person who was not a member of the Communist Party or whose case was not being supported by the representations to the Civil Rights Congress by the Communist Party?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that question on the same grounds and for the same reasons.

Mr. SCHERER. The fact, is, Witness, isn't it, that none of these funds were used for any purpose other than for the defense of Communists and Communist causes? Isn't that a fact?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that question on the same grounds.

Mr. SCHERER. If my statement were untrue, would you tell us?

Mr. ROCKLIN. I decline to answer that also on the same grounds.

Mr. TAVENNER. We have referred during the course of these hearings to various nominating petitions for candidates on the Communist Party ticket in the State of New Jersey, one for instance was for the election of Louis Malinow as freeholder on March 6, 1951. I hand you the document and ask you whether or not you were the notary before whom this petition was notarized.

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that question on the same grounds.

Mr. TAVENNER. Were you acquainted with Mr. Malinow?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that on the same grounds.

Mr. TAVENNER. In 1951 was he a functionary of the Communist Party in Newark?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that on the same grounds.

Mr. TAVENNER. Were you acquainted with Elwood M. Dean?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that on the same grounds.

Mr. TAVENNER. Do you know whether Elwood M. Dean was a functionary of the Communist Party in Newark, N. J.?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that on the same grounds.

Mr. TAVENNER. We have heretofore referred to a Communist Party nominating petition for Elwood M. Dean for the office of county clerk, bearing date of March 9, 1950.

I would like for you to examine item 111 and also the notary certificate and state whether or not you recognize your name, both as a petitioner and as a notary.

Mr. ROCKLIN. I decline to answer that question on the same grounds.

Mr. TAVENNER. Will you examine the name appearing as item 111 and state whether or not you see an address appearing after the name?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that question on the same grounds.

The CHAIRMAN. Do I understand you, Mr. Tavenner, to ask whether or not his signature appeared and he took his own affidavit?

Mr. TAVENNER. Yes; his own affidavit appears.

The CHAIRMAN. Were you a notary in the State of New Jersey? (The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that question.

The CHAIRMAN. Why do you decline to answer it?

Mr. ROCKLIN. I answered it to my best ability.

The CHAIRMAN. Did you ever have a commission as notary public in the State of New Jersey?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I did.

The CHAIRMAN. What is the date of the commission?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I don't recall.

Mr. TAVENNER. Will you read the address appearing after the name on item 111, please?

Mr. SACHER. You mean out loud?

Mr. TAVENNER. Yes.

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to read that.

The CHAIRMAN. Just a minute, Mr. Sacher. I heard you say to your client, "Don't answer that question."

Mr. SACHER. I didn't say that. I said, "You decline to answer it." That is what I said.

The CHAIRMAN. You are here to advise this witness as to his constitutional rights.

Mr. SACHER. That is what I did.

The CHAIRMAN. You are telling him what to say. There is a big difference.

Mr. Tavenner, I think you ought to have the Veteran's Administration compare the signature on this affidavit with the application for the notary public certificate and in that way you can determine very quickly whether or not it is the same person because he has admitted he did apply.

Mr. TAVENNER. I desire to read into evidence item 111 on this petition. The name is David Rocklin, residence 525 Elizabeth Avenue, Newark, N. J. You testified a few moments ago that your address was 525 Elizabeth Avenue in 1950, did you not?

Mr. ROCKLIN. That is right.

Mr. TAVENNER. Were you acquainted with Frank Chandler?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer on the fifth amendment.

Mr. TAVENNER. Frank Chandler was a candidate for election on the Communist Party ticket to State assembly, according to his petition, bearing date of March 10, 1949. I will ask you to examine the notary's statement and state whether or not your name appears as a notary on that petition.

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that question on the same grounds.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer whether he acted as a notary.

The CHAIRMAN. I direct the witness to answer the question of whether or not he acted as a notary on this petition.

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that on the same grounds.

Mr. TAVENNER. I desire to read into the record the following statement:

Sworn and subscribed to before me at Newark, N. J. this 10th day of March 1949, David Rocklin—

and then under it is stamped—

David Rocklin, notary public of New Jersey, my commission expires May 20, 1953.

Are you a notary public at this time?

(The witness conferred with his counsel.)

Mr. ROCKLIN. No, sir.

Mr. SCHERER. Is this another petition where he notarized his own signature?

Mr. TAVENNER. Yes. Item 220 carries the name as one of the petitioners. I will read item 220:

David Rocklin, 525 Elizabeth Avenue, Newark, N. J.

I think I should explain, however, that the form in which these petitions were filed consisted of a list of signatures and an affidavit. The affidavit is not made by those who signed, but is made by those who circulated the petition. So he did not actually take his own acknowledgment. I would, however, like to read the names of the affiants. Referring to this petition they are Louis Malinow, Bertha Bloksberg, Elwood M. Dean, Mrs. Gaetana Mahan, Martha Stone Asher, being duly sworn upon their respective oaths, say they are signers of the petition hereto annexed and are legal voters of the county of Essex, that the said petition is made in good faith that the affiants saw all the signatures made thereto.

Do you know whether or not those who appeared before you as affiants were all members of the Communist Party?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that on the same grounds.

The CHAIRMAN. As I understand it, the affidavits of those five people were taken by a man by the name of David Rocklin. Isn't that it?

Mr. TAVENNER. Yes, sir.

The CHAIRMAN. Why do you think you would be subjected to criminal prosecution if you answered the question of whether or not you took affidavits of these people, the affidavit being that they circulated a petition?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that on the same grounds.

Mr. TAVENNER. It is noted that the name of the last affiant is Martha Stone Asher. Was Martha Stone the organizer of the Communist Party in Newark, N. J., in 1949?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer on the same grounds.

Mr. TAVENNER. Do you know whether or not Martha Stone married Emil Asher, the witness who appeared before the committee yesterday?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that on the same grounds.

Mr. TAVENNER. At the date of these various petitions which I hand you, in 1949, 1950, 1951, were you a member of the Communist Party?

Mr. ROCKLIN. I decline to answer that on the same grounds.

Mr. TAVENNER. In October 1949 at the time your name appears as treasurer on the certificate of deposit of the bail fund of the Civil Rights Congress of New Jersey, were you a member of the Communist Party?

Mr. ROCKLIN. I decline to answer that on the same grounds.

Mr. TAVENNER. Have you ever made application for a passport?
(The witness conferred with his counsel.)

Mr. ROCKLIN. No, sir.

Mr. TAVENNER. Are you acquainted with a person named Nathan Gregory Silvermaster?

Mr. ROCKLIN. I decline to answer that on the same grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. ROCKLIN. I decline to answer that on the same grounds.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. Mr. Doyle, do you have any questions?

Mr. DOYLE. Were you employed in the State of New Jersey from 1951 to 1953 or any part thereof?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that question on the same grounds.

Mr. DOYLE. Were you employed in any defense industry or manufacturing establishment which had defense contracts during the years 1951 to 1953?

(The witness conferred with his counsel.)

Mr. ROCKLIN. No, sir.

Mr. DOYLE. In what State were you employed in 1951?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer on the same grounds.

Mr. DOYLE. If you were not employed in a defense plant or industry in 1951, 1952 or 1953, where were you employed?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that question on the same grounds.

Mr. SCHERER. I request that you direct the witness to answer the question.

The CHAIRMAN. You are directed to answer the question in view of the fact you said you were not employed in a defense plant.

Mr. ROCKLIN. I decline to answer that question on the same grounds.

Mr. SCHERER. Witness, did I understand you to say you were not born in the United States?

Mr. ROCKLIN. That is correct.

Mr. SCHERER. Where were you born?

Mr. ROCKLIN. Poland.

Mr. SCHERER. Where were you naturalized?

Mr. ROCKLIN. In 1927 in New York City.

Mr. SCHERER. On your own application?

Mr. ROCKLIN. Yes, sir.

Mr. SCHERER. Were you a member of the Communist Party at the time you filed your application for naturalization?

(The witness conferred with his counsel.)

Mr. ROCKLIN. I decline to answer that question on the same grounds.

Mr. SCHERER. That is all.

The CHAIRMAN. I have no questions.

Mr. SCHERER. I would like to make this observation. Again this is one of those cases like we had the other day where I feel that the testimony of this witness should be referred to the Department of Justice to see whether or not there could be proceedings for denaturalization.

The CHAIRMAN. It is indeed unfortunate that you will not cooperate with this committee, because we are certain that you could give us some very valuable information, information that would be very beneficial to those fine hard working patriotic citizens who are unknowingly contributing to things that are not American, and we were hoping that you would be able and would be willing to cooperate with the committee.

The witness is excused.

(Whereupon the witness was excused.)

Call your next witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Joseph Fisher.

Mr. DOYLE. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FISHER. I do.

TESTIMONY OF JOSEPH FISHER, ACCCOMPANIED BY COUNSEL, HARRY SACHER

Mr. TAVENNER. State your name, please.

Mr. FISHER. Mr. Chairman, before we begin I would like a point of information.

The CHAIRMAN. You were called as a witness.

Mr. FISHER. As a witness I would like to know before whom I am appearing. The usual procedure of this committee has been to announce before whom the witnesses are sitting. I would like to know whether the person who is chairing the committee today is Representative Walter, the author of the Walter-McCarran Act.

The CHAIRMAN. I am very proud to say I am that same gentleman.

Mr. TAVENNER. State your name, please.

Mr. FISHER. Joseph Fisher.

Mr. TAVENNER. It is noted you are accompanied by the same counsel who appeared for the preceding witness.

When and where were you born, Mr. Fisher?

Mr. FISHER. June 21, 1951, in New York City.

Mr. TAVENNER. Where do you now reside?

Mr. FISHER. Newark, N. J.

Mr. TAVENNER. How long have you lived in Newark?

Mr. FISHER. About 2 years.

Mr. TAVENNER. Prior to that time where did you live?

Mr. FISHER. Jersey City.

Mr. TAVENNER. How long were you a resident of Jersey City?

Mr. FISHER. Approximately 13 years.

Mr. TAVENNER. Continuously?

Mr. FISHER. One small break, about a year or so when my family moved to Brooklyn.

Mr. TAVENNER. Did you move to Brooklyn too?

Mr. FISHER. My family did.

Mr. TAVENNER. You said, "My family moved to Brooklyn." Did you move to Brooklyn?

(The witness conferred with his counsel.)

Mr. FISHER. You mean did I personally move with my family to Brooklyn?

Mr. TAVENNER. Didn't you so understand? That was my question.

Mr. FISHER. I myself did not move to Brooklyn with my family.

Mr. TAVENNER. Where did you move to?

(The witness conferred with his counsel.)

Mr. FISHER. I want to decline to answer that question on the basis I want to invoke the privilege of the fifth amendment.

The CHAIRMAN. You say you want to, do you?

Mr. FISHER. I invoke my privilege under the fifth amendment.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question as to where he moved. How can it possibly incriminate him?

The CHAIRMAN. You are directed to answer the question.

Mr. FISHER. I decline to answer that on the same grounds.

The CHAIRMAN. Do you decline on the grounds that if you answer the question of what your residence was at that time you might be subjected to a criminal prosecution?

Mr. FISHER. That is what you said, Mr. Chairman. I did not say that.

The CHAIRMAN. That is the natural inference. I will not argue it.

Mr. TAVENNER. What year did your family move to Brooklyn?

Mr. FISHER. 1951.

Mr. TAVENNER. When did they return to Jersey City?

Mr. FISHER. They didn't return to Jersey City. They returned to Newark.

Mr. TAVENNER. Where did you reside on January 1, 1952?

Mr. FISHER. I decline to answer that question on the same grounds, same reason.

Mr. TAVENNER. Where did you reside July 1, 1952?

Mr. FISHER. I decline to answer that on the same grounds, same reason.

Mr. TAVENNER. Where did you reside January 1, 1953?

Mr. FISHER. Newark, N. J.

Mr. TAVENNER. What was the date of your arrival in Newark, N. J., to take up your residence in 1953?

Mr. FISHER. About that time, the time previously mentioned, I don't remember the exact date.

Mr. TAVENNER. During the period of time in which you have refused to tell us the place of your residence, were you out of the continental boundaries of the United States?

(The witness conferred with his counsel.)

Mr. FISHER. No, sir.

The CHAIRMAN. Where were you?

(The witness conferred with his counsel.)

Mr. FISHER. I decline to answer on the same grounds, same reason.

Mr. SCHERER. Were you engaged in any illegal activity during that time, since you refuse to tell us?

Mr. FISHER. I object, sir, to that inference, and I decline to answer on the same grounds, same reason.

Mr. SCHERER. That is the only inference I can draw.

Mr. FISHER. I want to make it clear that my declination does not indicate that type of inference.

(The witness conferred with his counsel.)

Mr. TAVENNER. I have before me the November 18, 1948, issue of the Daily Worker and I find there an article entitled "Sid Stein Gets New Communist Party Post." In the course of the article it is stated:

Stein has resigned his post as chairman of the New Jersey State Committee of the Communist Party. The New Jersey State Committee has elected Martha Stone, State chairman, Joe Fisher as State labor secretary and Alice Enberg as State educational director.

If you were the State labor secretary of the Communist Party in New Jersey, you should be in a position to give this committee important information relating to the activities of the Communist Party within the field of labor in the State of New Jersey at that time. My first question to you is: Was the November 18, 1948, issue of the Daily Worker correct in stating that you had been made labor secretary of the Communist Party?

(The witness conferred with his counsel.)

Mr. FISHER. I decline to answer that; same grounds, same reason.

(The witness conferred with his counsel.)

Mr. TAVENNER. The committee has received evidence during the course of this hearing of efforts made by the Communist Party to build the organization of the Communist Party within labor organizations. The staff of the committee has obtained what appears to be a mimeographed letter or possibly it may be an original typed letter, the heading of which is, "A Big Occasion for Hudson County."

It is signed by typewriter "Sincerely, Joseph Fisher."

I desire to read the letter in evidence and ask whether or not you will identify it as having been issued or authorized to be issued by you.

DEAR COMRADES: The night of February 28 is a gala event for the Hudson County Communist Party. On this night at 8 p. m. at the YWCA on Fairmount and Bergen Avenues, in Jersey City, Comrade John W. Williamson, national secretary of the Communist Party, will speak on the lessons of the strike struggles and the role of the Communist Party. This is the first time that a member of our leading committee will speak in our town. The purpose of the meeting is to spur the party-building drive in Hudson. The meeting is sponsored by the industrial clubs in our organization.

Every one of our comrades who is working in industry, AFL, CIO, or RR, must be there, but that will not be enough. It is essential that each one of our new recruits be there and that every one of us brings a potential recruit to the meeting. Each one of us knows someone who, with a little extra information about our party, will join. Who will be able to do a better job than John Williamson? There is only one point on the agenda and that is the talk by Comrade Johnny and there will be a question-and-answer period.

Nothing is more import. Be there.

Sincerely,

JOE FISHER.

(The witness conferred with his counsel.)

Mr. TAVENNER. My question was whether or not you can identify that as a letter issued by you or authorized to be issued by you.

Mr. FISHER. I would like to answer that question in two ways, sir: No. 1, I would like to make it clear to the committee that my life and my activities have been a matter of public record of which I am very proud. I would like to make it clear that I consider even the reading of this document a violation of my rights under the first amendment of the Constitution of the United States and as a result of the fact that

this committee is invading this right, and as a result of the fact that this committee very well knows, as it is evident what my general thinking is, it is, in my opinion, that this committee is asking needless questions in order to entrap me into revealing my associations, to identify and incriminate in the minds of this committee innocent people, and to—

The CHAIRMAN. You are so proud of your activities, why don't you answer it?

Mr. FISHER. I am invoking my rights under the fifth amendment, which implies no guilt but rather my responsibility as an American citizen to protect my friends and not to be made a stool pigeon by this committee. I am therefore impelled, and furthermore, impelled to invoke my rights under the Constitution of the United States. That is my attitude on any type of question of this type.

The CHAIRMAN. As I understand it, you take the position that to answer the question of whether or not you wrote a letter might subject you to a criminal prosecution.

(The witness conferred with his counsel.)

Mr. FISHER. I have already answered. I am answering this under the grounds that I don't want to be a witness against myself under the fifth amendment.

The CHAIRMAN. You have stated that you were very proud of your activities and I congratulate you on your feeling of pride.

Now may I ask you to help this committee in its unpleasant task?

Mr. FISHER. It is my responsibility not to help but to expose this committee to the American people, Mr. Chairman.

The CHAIRMAN. The American people know all about this committee. As a matter of fact, at the last—

Mr. FISHER. They do not know this committee.

The CHAIRMAN. Just a minute. When funds were voted for this committee there wasn't one single vote in the House against it, not one Republican or Democrat voted against the continuation of the work this committee is obliged to do. You have just boasted about your activities. Did you write that letter asking people to come to that meeting held at the YWCA?

Mr. FISHER. I am again declining to answer; same grounds, same reason.

Mr. TAVENNER. It is the information of the committee that there was a meeting of the State committee of the Communist Party in New Jersey on July 27 and 28, 1946. Did you attend that meeting?

Mr. FISHER. Did you get that information from the secret witness, sir?

Mr. TAVENNER. Will you answer the question?

Mr. FISHER. Well, I would like to know very much, sir, because according to my information Congressman Walter in front of the Judiciary Committee stated he would even use the evidence of Nazis if necessary, and I would like to be confronted if possible by a possible Nazi in order to cross-examine him.

The CHAIRMAN. You have been misinformed and you know you have.

Mr. FISHER. I have here an article, Mr. Walter, which quotes you as answering that way before the Senate Judiciary Committee under question of admitting refugees into this country, and you said if necessary, if it is the only thing you can do, you would use Nazi documents in order to process refugees into this country.

The CHAIRMAN. That is not the fact. I have been very deeply concerned less more people like you come to the United States.

Mr. TAVENNER. I suggest, Mr. Chairman, that the witness be directed to answer the question.

The CHAIRMAN. Answer the question.

Mr. FISHER. I decline to answer the question on the same grounds, same reason.

Mr. TAVENNER. Mr. Chairman, the staff of the committee has been successful in the last few days in acquiring some documents which I now have before me. One of these documents is the report of Sid Stein, State chairman of the Communist Party, and it is entitled "Proceedings of the State Committee Meeting Held on July 27 and 28, 1946," containing (1) excerpts from all reports; (2) proposals. I would like to introduce this document in evidence and ask that it be marked "Committee (Fisher) Exhibit No. 1," and that it be incorporated in the transcript of the record.

The CHAIRMAN. It is so ordered.

Mr. TAVENNER. I will only refer to certain headings in this report for lack of time to go further into it, and to make reference to 1 or 2 other matters.

The first part of the document is the report by Sid Stein, State chairman. In that there is a section on building the Communist Party. There is also embodied in the report a report by Lawrence Mahan, State secretary, entitled "Party Building and Press Report to the State Committee Meeting."

On page 3 of this latter report I find the following:

In New Jersey we have started—

the word "started" is underscored—

to make some headway in our basic industries but the weakness nationally in building the party in UE, steel, auto, ship, appeared in New Jersey as well. Although our general goal was 72.2 percent completed, we only recruited about 44 percent of the basic industrial workers we had planned to bring in during the drive. A particular weakness showed up in AFL recruiting. We only recruited 47 workers from all AFL unions in the whole State. The results are as follows:

Then appears a table containing the names of the industrial cells, the number of members in each of those cells at the beginning of the drive, the goal that they had set for themselves, and the numbers recruited up to the date of this compilation. I would like to read into the record the names of those industrial cells as they existed at the time of this report.

The CHAIRMAN. Are they located in any way? Do you know where they are?

Mr. TAVENNER. It is statewide, they are statewide industrial clubs. [Reading:]

Electrical and radio, members at start of drive 156, goal 200; auto, members at start of drive 60, goal 90; shipyard, 89, 80; steel and aluminum, 48,70, meaning the goal is 70; AFL, 193, goal 75; textile 26, goal 20; rubber 19, goal 20; chemical 42, goal 50; railroad 12, goal 50; longshore 9; fur 26; mine, mill, and smelter 20; cannery 18; furniture 14.

without any reference to the goal they had set for themselves.

Also the statement:

During the drive we formed 16 new clubs.

The CHAIRMAN. Does it state where they were located?

Mr. TAVENNER. No. It says 12 were shop clubs, 3 were youth clubs, and 1 was an industrial club.

The CHAIRMAN. Maybe Mr. Fisher could tell us where the clubs are located.

Mr. TAVENNER. Do you know where these new clubs were located, Mr. Fisher?

Mr. FISHER. I would refuse to answer that on the same grounds, same reasons, sir.

Mr. TAVENNER. There is another example of the help you could be to this committee.

Mr. FISHER. In my opinion that is another example of what Mr. Corsi said "Walterism is worse than McCarthyism," and on the same grounds, same reasons, I would refuse to answer the question.

Mr. TAVENNER. In this document also appears a report, White Chauvinism, presented by Charles Nusser. For the benefit of the chairman who was not present, Charles Nusser was a witness before the committee on the first day and was shown to be a functionary of the Communist Party.

Next is a report entitled, "The Ideological Struggle," a condensation of the report delivered at State committee meeting by E. M. Dean.

Next is a report entitled "Building the Party in the AFL."

Next is a report on the press by Gay Mahan.

Then there is a section dealing with proposals of a general character. (The exhibit referred to is as follows:)

COMMITTEE (FISHER) EXHIBIT No. 1

PROCEEDINGS OF
THE
STATE COMMITTEE MEETING

HELD ON

JULY 27th AND 28th, 1946

CONTAINING

1. EXCERPTS FROM ALL REPORTS

2. PROPOSALS

REPORT BY SID STEIN, STATE CHAIRMAN

It is my task here to report on the proceedings and decisions of the National Committee meeting just concluded.

The Economic Struggles

The first round ended in a rout of the employers and their agents including the Truman Administration. Every major strike was won. The attempt of the Bourgeoisie to insure its wartime rate of profit on the basis of keeping wages at the status quo in the face of a rise in the cost of living was largely repelled. Faced with a string of victories on the part of labor, the Truman Administration picked the Railroad workers for a new experiment in open Government strikebreaking. While it temporarily succeeded in beating back the Railroad workers, its' major objective of shackling the labor movement was thwarted by an aroused united labor movement and progressive forces. The Truman bill was blocked, Truman was forced to Veto the Case Bill; The miners went on to win a decisive victory in the wake of the aroused public opinion against Strike-breaking government attempts. And the National Maritime Union faced with threats of the use of the Navy, nevertheless, went on to win the most splendid victory by forging the greatest unity ever achieved in the Maritime Industry--including the support of the Marino workers of other lands affiliated with the W.F.T.U. as well as large sections of AFL Maritime workers, as well as an offer of support from the Railroad workers. However, as far back as our last plenum in February, our Party foresaw that the battle was not over and indeed at the very morrow of the strike victories, the drive for price increases developed in full force. The resistance of the workers and people to the scuttling of O.P.A. has forced the price gougers and their representatives to retreat, maneuver and cover-up. But the net result is an OPA Bill which will legalize the wiping out of the 18 $\frac{1}{2}$ increase.

Clearly comrades we are faced with a double task. Giving leadership to the struggles of the workers against the encroachments of the Bourgeoisie, drawing lessons from the struggle --arousing a socialist consciousness on the basis of these struggles--bringing the advanced workers into the Communist Party in the process.

The trade unions must now prepare to reopen negotiations for wage increases and broaden the peoples fight against price increases.

The Struggle for Peace

As we all know, after several failures the recent meeting of foreign ministers in Paris succeeded in arriving at agreements on a number of important questions. This development was made possible by the firm peace policy of the Soviet Union backed by the increased power of the peoples forces in the liberated countries and by the resistance to Monopoly Capital's onslaught upon the workers which developed here at home. However, it would be the worst type of rightist error for us to imagine that the world situation has now become serene and calm. The Drive towards world domination by the Anglo-Saxon block is continuing with undiminished fury. The danger of Imperialist aggression is real. The call for Atomic war against the peoples Governments and especially the Soviet Union is being repeated in the columns of our major newspapers in these States as well as by such notorious imperialists as Bullitt, Virgil Jordan, and the Taft-Vandenberg-Hoover-Dulles crowd. Nor is the Truman Administration weakening in its application of the "Get Tough With Russia" war policy. It has constantly stepped up the tempo of its war drive in accordance with the demands of the extreme war mongers who intoxicated by the Atom Bomb are driving for early military aggression. The drive towards war as we have already seen is inseparably bound up with an intensive drive against the living standards of the working class and people, against the most elementary democratic aspirations and needs of the Negro people and against the most fundamental democratic rights of all the American people.

We must concentrate our fire against the use of American troops to foster civil war in China. We must make full use of the recent appeal of Madam Sun-Yut-San, and demand the immediate removal of American troops and equipment from China. Demand a halt to the shipments of war and all other materials to the Kuomintang forces. Likewise we must energetically proceed with the organization of the broadest forces in our State to bring into life the Call of the WFTU for an all-out campaign to break relations with Franco Spain. We must demand the removal of American forces from the Philippines and the nullification of the Bell Bill which ties the Phillipines to the chariot of American Imperialism. We must expose the proposed "InterAmerican Military Arrangement" as a none too subtle design for the militarization of a whole continent for the aggressive use of American Imperialism.

The key to success in this struggle is the welding of the broadest labor-progressive coalition. This coalition can be built broad and speedily if we base it upon the demand for a return to the Roosevelt policies of unity with the Soviet Union for the carrying out of the Yalta and Potsdam agreements. This fight must be conducted flexibly to include all those who are willing to fight for one another of these demands, and whether they are more permanent or only transitory allies.

The Coming Elections

Our National Committee has characterized the Republican Party as the main Party of Monopoly reaction. It characterized the Truman Administration as carrying out zealously the Imperialist program of Monopoly Capital and knifing the Roosevelt domestic policy--although it is still subject to mass pressure and hesitates when the people take the initiative. It has taken note of the fact that within the Democratic Party there are various groupings. There are those especially in the leadership of the Machines who are moving towards unity with

the Republicans-- Some who support the reactionary program of Truman but would like to take the labor vote along with them, and finally some who are disturbed by the scuttling of the Roosevelt foreign and domestic policy and see the handwriting of defeat on the Wall unless they embrace and fight for the program which under Roosevelt mobilized the people in the previous electoral victories.

Our National Committee concluded that the labor movement and our own party must not allow themselves to be passive and wait upon the development of a third party, that it must actively engage in the 1946 electoral struggle.

The other day at the special session of the State legislature, Minority Leader, Vogel, publicly condemned the reactionary Democrats who lined up to destroy OPA. This is a very important sign that possibilities do exist for getting at least some of the Democratic candidates to differentiate themselves from their reactionary colleagues. The strength of the mass movement demanding that differentiation will in most cases determine the degree to which this will be brought about. The slowness we are exhibiting in this direction has very practical results in the sense that it holds back the development of the necessary coalition for the defeat of reactionary Republicans and holds back building of political organizations in these congressional districts.

In the electoral struggle we must constantly realize that it is our task to win every possible force within the Democratic Party for the Roosevelt program and that in our State especially we must leave no stone unturned to make possible the giving of qualified support in the Senatorial and a number of Congressional races to Democrats who can be classed in the category of supporters of the Roosevelt program in the main, although they will not measure up fully as open fighters against the Truman Administration and the Hague Machine.

In the labor movement we must be ever mindful of the fact that our central task is to unite the labor movement around the program of the CIO as the very foundation for the forward movement of the whole labor and peoples movement. This does not mean unity at all costs, false unity which is based upon keeping quiet, going along with policies which help the monopolies.

Building the Communist Party

One year has passed since our National Convention. The policies adopted at the Convention have now gone through the severe test of a year of struggle. A year in which our whole organization as well as our basic course had to be reshaped. Breaking with the revisionist theory of class collaboration, of tailing after the American Bourgeoisie, our Party faced the task of once more assuming the role of a Marxist vanguard giving leadership in the struggle against the inevitable drive of monopoly capital towards greater exploitation of the working class and people, towards further oppression of the Negro people. With the results we have obtained so far in galvanizing the necessary broad opposition to the plans of American Monopoly capital, we can say that we have made headway in this direction. This is so because we have very definitely assumed a vanguard role in exposing the predatory character of American imperialism. We were the first amongst the Communists in the world to denounce the role of American Imperialism in China and the liberated countries of Europe, which is as it should be since it is our special responsibility to fight "our own" imperialism. We correctly estimated the road taken by the Truman Administration and forcefully and consistently took the lead in tearing from this Administration the mantle of Roosevelt in which it attempted to wrap itself.

We have taken the lead in raising before the working-class and the people the need and the new possibilities that now exist for the building a third peoples Party in the United States. Within our own Party we have once more raised the banner of struggle against White Chauvinism and taken the first forward steps in beginning to re-awake in our leading cadres and members the thirst for Marxist knowledge for the study of basic Marxist principles in concert with and as a guide to the performance of our Communist duties in the Class struggle. The character of the meetings our National Committee have shown that we have made headway in breaking with "one man leadership" and substituted for it the leadership of the collective of the Party Committee. This has become possible because of the new freedom of discussion which prevails in our Party Committees and organizations.

During the discussion on Revisionism we learned some very valuable lessons on the importance of self-criticism to a Communist organization, nevertheless, we must say that even in its easiest form—that is the method of evaluation of leading personnel, we have fallen far short. Although we have spoken about it we have only discussed the work of the members of the Secretariat and then only in a meeting of the Secretariat. In order that we not merely talk about it but really do something to overcome this shortcoming we propose that the Secretariat bring the evaluation of its members to the next meeting of the Board. And that all the Board and State Committee members bring self-critical evaluations of their work to the Secretariat for discussion and presentation to the State Board and the subsequent meeting of the State Committee.

The other glaring weakness is in the realm of collective leadership. It is true that we have made some progress but in the main it has been in our most central and concentrated bodies, in our State Secretariat and County Secretariats. However, in our State and County Boards and Committees and especially in the functioning of our Commissions and special Committees for specific tasks, we fall very far short from operating on the basis of real collective leadership. We must say that in our State Board we have had too often the experience of comrades being ill-prepared to take part in the discussion of important issues thereby minimizing considerably the contributions they are capable of making to the collective leadership of the State. This has resulted at times in a lack of clarity especially as related to the important questions of tactics.

From this criticism the State Secretariat and Chairman are not excluded on the contrary, the Secretariat bears a great responsibility to find ways of making it possible for all Board members as well as those who attend Board meetings and are not Board members to make their maximum contribution and grow as ever more effective Party leaders.

PARTY BUILDING AND PRESS REPORT TO THE STATE COMMITTEE MEETING-- JULY 27th. & 28th.

By Lawrence Mahan, State Secretary.

The New Jersey Communist Party has just concluded a Party Building Drive for 750 new members. Of that number, 542 Communist recruits were brought into the Party during the period from March 15th to Independence Day. This represents a 72.2% achievement of the estimated goal. Nationally, during the same period, the Communist Party recruited 15,000 new members, or about 75% of the 20,000 originally proposed.

Among the recruits are shop workers from practically every New Jersey industry, a large percentage of Negroes, many veterans of the recent war against fascism, and young people who are fighting the war plans of American monopoly today. They came into the Party at a time when attacks on Communists, and all others who oppose the arrogant rule of Big Business, were becoming sharper by the hour.

Profiteer Andrew May saw the Communists, and the forces they organize, as an accusing finger pointed at the monopolies with which he had made lucrative deals. As a result he demanded that no more commissions be given to Communists in the armed forces. Attorney General Tom Clark saw the Communists as an obstacle to continued lynch rule in the South. Accordingly, he launched an anti-Communist crusade on the Hitler model, while permitting a whitewash of KKK terror in Columbia, Tennessee.

In New Jersey "labor" politicians, like Mayor Murphy of Newark, had begun to Red-bait in the hope of catching some votes from the Catholics, whom he wrongly supposed to be blinded by a reactionary hysteria.

But the workers, the Negro people, the Roosevelt progressives in the same period were more and more losing faith in these big business politicians, and learning by personal experience the real reason why such misleaders used the Nazi tactic of an Anti-Communist crusade. Those, who in January still hoped that President Truman was on a temporary leave of absence from what remained of the New Deal Coalition, had been rudely shaken by the hard facts of Truman sabre-rattling and war provocation, Truman strike-breaking, and cynical abandonment of FEPC and OPA by the whole Administration.

As for the Republicans, not even a Wilkie had made his appearance. The New Jersey Republican gang in Congress, which quietly knifed the people during the Roosevelt years, had begun to show itself more openly. J. Parnell Thomas, a senior member of Rankin's Thought Control Committee, demanded a Republican majority in November so that there might be "Bigger and better Red-baiting", and begged to be quoted on this translation of Goebbels. Fred Hartley, tireless worker for the Clothing Manufacturer's Association, became the most militant leader of the "Kill OPA" crowd. At dinners, given by wealthy manufacturers, he used the same hysterical oratory for which he had become famous while trying to stop the war against Hitler with the help of the America Firsters. Robert Kean, wealthy Livingston Banker and part-time Congressman, bluntly told a labor delegation that he didn't like such people, and visits to him were a waste of time.

Even the former progressive Democrats, Norton and Hart, changed course with that of the machine. Although Mary Norton was too sick to make a fight in Congress for the people, she was quite well enough to leave the shillor of the Hospital to welcome the Polish fascist, General Bor, or to tell the CIO how much damage it had done in fighting for an 18¢ wage increase. Hague, who had fought the New Deal as openly as he dared, now relaxed and took off the mask.

Under such conditions the people of New Jersey, and of the whole country, have become critical of old alliances, and have begun to look for a reliable means of making a fight against monopoly. The people have begun to see the true nature of monopoly capital. They have begun to see that the same kind of monopolists who financed Hitler are now slugging them around on American picket lines. The same monopolies who wept for "the public" during strikes for decent wages, laugh at the public when it comes time to renew OPA. Under such conditions the people were bound to become more receptive to the anti-monopoly Communist Party. The very attacks of big business and the Red-baiting of their well-paid politicians, convinced many workers that the Communist organization must be an effective fighter against their own enemies.

These new members are far more than a numerical addition to the organization. They have brought spirit, enthusiasm, and fresh confidence. They have often been decisive in building a new club or bracing up an established one.

They are not the wealthy nor the elite. They are workers from New Jersey factories, mills and railroads, white collar and professional people, housewives and farmers. They are the advanced guard of those who do all the work in our state. Amongst these people, who are the real backbone of our society, certain groups showed a particular understanding of the need for a strong Communist Party. The Negro people, as a result of their double oppression, are in a forward position politically. The Recruiting Drive reflects this in the fact that 51% of the new members are Negroes, a high compliment to the Party, for an organization which is trusted and joined by the Negro people must be a real fighter for equality and democracy. This 51% of Negro recruits compares very well with the National average of 33%.

Another group of fighters, particularly in need of a strong Communist Party, are the veterans of the War against Fascism. Because not enough veterans were sought out and acquainted with Communist program, only about 14% of the recruits are Vets of World War II. And the youth of New Jersey, for which imperialism has planned only a military career, were not recruited in any where near the number which the conditions made possible. At the beginning of the Drive we had only 152 members out of 2000 under 25 years of age. Composition today unknown.

Our recruiting in this period was not limited by any lack of possibilities, but only by our own lack of success in getting active forces in the clubs and shops to plan and carry through the patient and continuous effort needed to recruit new members in the right way.

We've all decided that a working-class political Party needs a large majority of industrial workers. At the beginning of the year our Party had 50% of its members working in industry. During the Recruiting Drive 68.7% of those who came in were industrial workers. Of these, 39.4% were from basic industry, and 29.3% from light industry. This brought the industrial composition of the whole organization up to about 54%. A further indication of this direction was the fact that only 6% of our recent recruits were housewives as against 25% housewives in the Party on January 1st. However, the concentration on industrial recruits became somewhat diffused during the Drive, and the necessary forces and organization to see it through in life were not provided.

We had a policy of emphasis rather than a policy of concentration. If we had been able to organize our own comrades in UE, Ship, Auto, Steel, and AFL for an all-out drive, the concentration results would have been much better. If our own trade union comrades had come forward more skillfully and militantly as OPEN COMMUNISTS, the fine work they did on the picket lines would have led more naturally to Party Building.

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In New Jersey we have started to make some headway in our basic industries, but the weakness nationally in building the Party in UE, Steel, Auto, Ship appearing in New Jersey as well. Although our general goal was 72.2% completed, we only recruited about 44% of the basic industrial workers we had planned to bring in during the Drive. A particular weakness showed up in AFL Recruiting. We only recruited 47 workers from all AFL unions in the whole State.

The Results are as follows:

	<u>Members at start of Drive</u>	<u>Goal</u>	<u>Recruited</u>	<u>Approx. % ino.</u>
Electrical & Radio	156	200	50	33%
Auto	60	90	21	33
Shipyard	89	80	15	16%
Steel and Aluminum	48	70	13	28
AFL	193	75	47	25
Textile	26	20	6	25
Rubber	19	20	2	10
Chemical	42	50	12	30
Railroad	12	50	3	25
Longshore	9		2	
Fur	26		28	106%
Mine, Mill, & Smelter	20		13	65
Cannery	18		11	55
Furniture	14		7	50
Packinghouse			22	

Organized concentration work with careful check back must become the rule in our recruiting. Our best forces must be assigned to concentration shops to build the Party. We must build a Communist fortress in every basic industry.

The Party nationally is planning for a real mass Party,--is planning in numbers,-- 5000 Communists in the South, and 10000 recruits during the coming election campaign. This will mean 600 or 700 recruits from New Jersey during the election campaign. It will mean completing our concentration goals, and especially important, it will mean bringing in 125 AFL workers in the next two months.

During the Drive we formed 16 new clubs.

- (a) 12 shop clubs
- (b) 3 Youth Clubs
- (c) 1 Industrial Club

In addition many clubs were consolidated and brought into functioning status again.

The Party Building Drive, while giving us some splendid new forces, suffered from two basic weaknesses: First, the number of comrades doing the actual work of recruiting was far too small. And, secondly, the members recruited have by no means been really "brought in" as yet. You have seen by the Progress Report that only 167 of the 544 recruits have actually had new members training. These figures demand some quick action on our part, and although new members classes are the most desirable form of integration we'll have to find the means for all members to get our concentration pamphlets, to be drawn into club discussions, and to be treated as our friends on a social scale.

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CONSOLIDATION

At the conclusion of the Party Building Drive, our State Board decided to launch a drive to consolidate and tighten up our whole organization. The Drive was slated to last from July 1st to July 31st. Its' objective: DUES, ATTENDANCE, AND ACTIVITY.

While there has been an improvement in dues payments, we still have a ways to go to complete our goal of 100% paid through June membership.

Those counties which have kept a check show a rise in attendance in spite of the vacation months.

But it is in activity that we show the greatest improvement. There is some question as to whether this is a conscious part of the Drive, however.

We've established a real tradition of opening every session of the Legislature with a Communist demonstration. The pictures the papers used to carry of some phoney politician holding a gavel have given way to picket signs and AYD'ors in barrels.

We were a factor in the strikes. When a Communist candidate goes to a strike meeting of Phelps Dodge workers, he is sure, not only of reception,--but of a real greeting.

Our comrades showed a splendid spirit toward our press by writing, editing, photographing, typing up, and delivering 55,000 copies of a special New Jersey Edition of the Daily Worker. And they and other New Jersey workers made the news by their own struggles, to boot. If anyone doubts this he'll find the same pictures of a Communist organized anti-rent raise demonstration on the front pages of the Daily Worker and the Newark Star-Ledger. And when we get in the Star-Ledger,--that is news. It's true that not enough of this work has been sustained and followed up, but our Party is moving, and moving in the right direction.

This enormously increased activity just described has given us a serious financial problem. Activity is wonderful, but it requires a lot of funds. Recognizing this we launched a Fund Drive for \$32,000, on May 1st. By July 4th we had raised about \$22,000, -- more money and raised faster than we'd ever been able to do before. But since July 4th we've only raised \$2,000 more. This is more serious than some comrades may imagine, and can have only one effect: curtailment of political activity later in the year,--unless we do something about it pretty quickly.

PRESS

One of the comrades yesterday reported that Essex County distributed 2,500 copies of the Daily Worker from the back of a jeep. These papers went out so quickly because the people were worried about price control, and because our Communist newspaper reported, agitated and organized on the issue of price control. The people reached eagerly for copies of the Party press. And it's worthwhile to find out why in such a crisis they turn to the Daily Worker (when we bring it to them.)

First of all, there is a growing disillusionment with the commercial press. In his excellent pamphlet "The Free Press", George Marion shows how

monopoly has made a ventiloquists's dummy out of an American press which was once capable of some fine crusading. He says: "There is, in effect, only one American newspaper, or let us say three or four papers which are parts of one pattern. Your paper and mine print exactly the same news, the same pictures, the same columnists, the same features ranging from comics through recipes, and often the same canned editorials supplied by the Newspaper Enterprise Association.

The monopoly press has posed for a long time (as the bourgeois state has tried to pose), as apart from vicious struggle, as an objective reporter of facts. Actually it is very much a part of the fight, and is vehemently on the big business side of the fray. It is a huge monopoly itself, and has become a sort of super-government, which prints what it likes and suppresses what it likes, with an arbitrary power, the field of public expression unequalled since the days of Louis XIV. There are not "many" newspapers in America. There are only a few chains, and three large monopoly news services which feed all of the opinion from overseas.

Like all other monopolies, the Press monopoly is attempting to get bases in the liberated countries, no only for propaganda reasons, but for the extension of its lucrative swindling of more millions of people.

It sends missionaries like Brooks Atkinson to Moscow, and then, with the label of authenticity established, prints war incitements under his by-line. The articles by Atkinson open a new era for American monopoly propaganda. They make no more pretense to truth or logic than the rantings of Dr. Goebbels.

In such surroundings our Communist press has a gigantic job to do. As George Marion points out the whole labor movement has been unable to support a single labor daily. Our Communist Daily Worker is the only working class daily in the east. It must answer and attack the concepts of the monopoly press. It must reflect the life of the people. It must become our daily polemic against capitalism.

"WHITE CHAUVINISM"

Report by Charles Nusser, N.J. Educational Director.

Last Friday, 4 Negroes were lynched in Georgia. Just last week a Negro veteran - the only Negro who voted in the town of Ruppert, Georgia - was shot, a few days after Talmadge's election by a minority vote. You are familiar with the Tennessee and the Freeport cases, and the increased attacks against the Negro people both in the South and the North, and the Jim-Crow discrimination in hiring, in restaurants and public places. This increased terror against the Negro people is not accidental. It is a part, a necessary part of American Imperialism's drive to reaction and war. White chauvinism today is not only an anti-working class ideology, nurtured carefully and deliberately spread throughout the Nation and amongst the people and the workingclass by all the means at the disposal of the bourgeoisie, but it is even more than that. White Chauvinism is a main weapon of Fascism.

White chauvinism, we know comrades, is any act, attitude or expression, it can be made consciously or unconsciously, that is based on the concept of white superiority. White chauvinism can manifest itself in many forms. It can be open or hidden and is sometimes expressed in a very subtle manner, and is therefore more difficult to fight, to root out, to destroy. The concealed forms of white chauvinism are more dangerous because they are not so readily seen and recognized unless we are constantly on the alert, unless we are extremely sensitive, unless we are consistently conscious of the necessity to wage an unrelenting struggle against every form of white chauvinism wherever and however it may show itself. White chauvinism may be expressed in many different ways. We may express it in our relations with Negro comrades, or conversely in our lack of relations.

In fighting white chauvinism we must first of all begin at home with ourselves. We are Communists. We live in a capitalist society surrounded by all the stinking bourgeois ideological rotteness that such a system breeds. We are and have been influenced by our environment. There must be a constant fight not only to be on the alert against the outcropping of such poisonous ideology but a consistent effort to completely root out this rotteness altogether.

When workers join our Party they do not suddenly become Marxists overnight. But by joining our Party, a comrade does signify his intention and desire of casting off certain basic concepts of bourgeois thinking. White chauvinism is one of those concepts that we reject by signing a Party application card. The holding of white chauvinistic concepts or ideas are incompatible with membership in the Communist Party.

Most of the comrades here have been in the Party for some time, and will remember that one of the first things that you learned when you joined the Party was the necessity of constant struggle against white chauvinism. There were no special campaigns or drives on this question--there was one continuous campaign that went on all the time. It is absolutely necessary that we do the same today--starting now!

Concretely, how do we fight white chauvinism? First in the Party itself we must intensify our educational work on this question. We must, if necessary, hold public trials, or open meetings or discussion on a particular case of white chauvinism which will dramatize vividly to our members and to the workers the criminal nature of this alien, anti-workingclass ideology.

The struggle against white chauvinism is a struggle in the interest of the whole working class. It is a struggle to unify the working class, to strengthen the workingclass in its struggle against imperialist reaction. The struggle against white chauvinism is a practical struggle. It must be coupled with a practical fight to remove the conditions under which the bourgeoisie oppresses the Negro people. When the Greenville Club in Hudson County conducts a fight to force stores on Jackson Avenue to hire Negro workers that is part of the struggle against white chauvinism. When a club, however, says there are no Negroes working in our shop, or living in our neighborhood, therefore, there is no problem for us,--that is not fighting white chauvinism regardless of how many "theoretical" discussion are held in such a club.

The struggle against white chauvinism must be linked with the struggle for jobs for Negroes, fight for FEPC, for the right to vote, to hold office, sit on juries, and against discrimination.

Our white comrades have a special duty to take the leadership in this fight.

Such an ideological and political struggle against white chauvinism will earn us even greater hatred of the bourgeoisie and their lackeys but it will certainly win us the honored respect of all progressives and the Negro people.

(See Proposals in attached Supplement of Proposals.)

THE IDEOLOGICAL STRUGGLE

A Condensation of the Report delivered at State Committee Meeting by E.M. Dean

In this period of the rehabilitation of our Party, it is more than ever necessary for us to turn to the theory of Marxism-Leninism in order that we eradicate every remaining expression of Browder revisionism within our own organizations and attack it wherever it appears in the labor movement of the country.

Our first major consideration ought to be a serious study of the role of the Communist Party in contemporary world history, recognizing as the starting point that the Party is the Conscious vanguard of the working class. It is the organized detachment, the general staff of the most progressive elements in our society. Our Party must be the living expression of the proper combination of theory and practice, exemplified from the neighborhoods and shops through the highest bodies of our organization.

Marxism-Leninism is the only world theory that withstands the test of time. This is true not because Communists are prophets but because Communist theory is born out of life itself, and being a guide to action, is applied to the experiences of life.

We are now in the first phases of a new era in the struggles of the American people. The experiences of the war have made many groups less susceptible to the old forms of bourgeois deception. For example; the Soviet Union has proved itself in battle and taken its place among the big powers, the meaning of imperialism has become more clear to the people, the role of monopolies in profiteering is better understood, faith in the Bourgeoisie has been shaken. In light of these things the reactionaries have revised their propaganda. They present the United States as anti-imperialist, the Soviet Union as "red" imperialism, the trade unions as monopolies, and thus seek to win a mass base as a result of the fact that the new concepts and tendencies of the people have not yet crystallized.

The need for a serious study of political economy, in order to completely expose the monopolists and the falseness of their theories of wages and prices, showing the real source of profits and how these ideas of theirs implement the practices of imperialism and drive the world to war. In all these respects we must show the role of the Soviet Union as the champion of peace and the example of socialism.

The Negro question and the struggle against anti-Semitism must receive major attention particularly in view of the latest attacks upon the Negro people which are calculated by the bourgeoisie to disarm the people in the campaigns for progress. The Negro question must be presented as a national question. The "moral" view must be exposed as a weapon of the ruling class aimed at weakening the struggles for Negro liberation.

Special attention must also be paid to exposing the role of the Trotskyites and Social Democrats, the former as the vanguard of the counter-revolutionary bourgeoisie and the latter as the agents of the bourgeoisie.

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Every Party organization should re-examine its educational processes and reshape them to conform to the new tasks presented on the ideological front. Many of the comrades recruited during the Browder period have had no genuine Marxist training. Besides the general lack of educational facilities in the Party organizations there are two frequent tendencies expressed in efforts to alter the situation. Current events are often discussed in isolation from the activities of the Party clubs, and theoretical discussions are held without applying them to the work of the organization. Every class or educational should be related to the actual daily work of the club. Our discussions must not be "academic". Every action planned by a club should be accompanied by a planned political and educational discussion. This places upon the club leadership the responsibility to think out in advance what Marxist-Leninist theories can be associated with each item on an agenda. In this way our comrades will be equipped with the required political understanding to facilitate the accomplishment of his tasks.

In addition to new members classes and regular club educational organized classes in the History of the CPSU, the National Question and Political Economy are recommended. The success of our ideological struggles will be measured by the quickness to which our clubs respond to the daily problems of the workers in the shops and neighborhoods.

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BUILDING THE PARTY IN THE AFL

The "Progress Report" shows that, despite haphazard work on the part of our AFL forces, the possibilities for recruiting are excellent. The AFL achieved 63% of its goal of 75. It must be emphasized that the new members brought in were not recruited as the result of an efficient campaign. In many cases CIO members and comrades in neighborhood groups brought in a recruit--and later discovered that he belonged to the AFL.

With planned recruiting, and with effective organization among our own AFL membership, it is clear that there is a tremendous field for work.

There are rumblings within the AFL. The Wage Adjustment Board, frankly designed to keep wages down, has aroused deep resentment. There is a ferment against leadership of various internationals. In the State, if and when Joe Fay leaves the picture, the Marciante machine will be greatly weakened. There will be a struggle for power. It is up to the progressives to utilize the situation.

The State AFL Commission has been attempting to weld together AFL forces throughout the State, with not too noteworthy success. It has met with fair regularity, although attendance left much to be desired. It issued a monthly bulletin which served at least to keep AFL work in the minds of the comrades.

The Commission has tried to have AFL clubs set up in various counties. Due to the lack of attention given this in the past, and with a certain defeatism existing in AFL work, setting up of such clubs was not accomplished except in Mercer, where beginnings were made. It is clear that much more emphasis will have to be given to AFL work. When we started, many county organizers did not even know how many AFL members they had.

There are signs that progressives are scattered throughout the state. However, each tends to feel isolated, and there is not the teamwork necessary. One effective rallying-point may be the booklet on Peter J. McGuire, a far-sighted founder of the AFL, member of the First International, and organizer of the Carpenters' Union. The Camden CLU has issued an important booklet on his life and achievements which should receive wide publicity.

We have had evidence in Mercer that recruiting of rank-and-file AFL members pays off in dividends rather than absorption with leaders. The response of new Negro members, with their enthusiasm, has helped.

To break, one and for all, with haphazard work in the AFL, the following recommendations were approved that are listed in the supplement of proposals.

REPORT ON PRESS BY GAY MAHAN

The press itself is nothing more than the propaganda machine of the monopolists which tries to dominate our lives economically and politically and influence our policies. It is the capitalist press that whips up this lynch spirit against the trade union movement. It is the press that influences millions of people, millions of people who belong to the working class, but who are not yet fully awakened to the fact that this press peddles only ideas of the enemy.

The ruling class owns its own press and tries through this propaganda instrument to control the thinking of the country. We have only one daily paper in the East, only one paper that is different from all the others. The Daily Worker is the only labor daily that we have. The Daily Worker stands out. Imagine this paper challenging the monopoly press that comes out in tens of millions of copies each day. The Daily Worker speaks out as the voice of the working people and as a symbol of progress. The Daily Worker not only speaks out, but is a collective organizer. The capitalist press has developed a new breed of anti-labor, anti-Communist "experts". We must counteract it by a new approach to our press. The Daily Worker is the official spokesman of the Communist Party. Daily, it is becoming more and more a fighting crusader, with consistency in carrying out campaigns.

We must fight for a proper approach to the paper on the part of our membership. As John Williamson said at the National Committee meeting, "While the paper has been supported there is something missing in terms of love for the paper as expressed for the 'People's World' and the 'Freiheit'. In these papers there is a closer relation with the members and trade unionists."

Once we have convinced our members and they feel this love for our paper, and view it as our vanguard weapon, it will make it much easier for us to build a mass circulation in this state. They will want to participate in going out and really building its circulation in the shops, trade unions, mass organizations and communities.

In comparison with other large Districts, the circulation of The Worker in New Jersey is good. But we can hardly be satisfied with this. The tremendous possibilities that exist for really building up our circulation should inspire each and every Communist to go out and do a job. We must all become conscious of our press and utilize it in everything we do. We've got to make sure that our press shows up at everyone of our mass demonstrations. It must be utilized in our day-to-day work, regardless of where we work or what we do.

During the months of June, July, and August we have a total of 730 Worker expirations. Of those only 177 have been renewed to date. Let us stop and think what 730 Worker readers mean. Let us not look at it in terms only of circulation. The 730 Worker subs expiring these months are 730 people, workers from shops, trade unions, mass organizations, neighborhood. They are farmers, professionals, white collar workers. 730 people who have been reading our press for a period of six months, a year, or even longer. 730 people who have been brought closer to our Party. 730 people who have become class-conscious, who are ready to do a job. 730 potential recruits to the Communist Party. And even more, 730 class-conscious workers each influencing from 5 to 10 or more of other workers. This is a tremendous thing. We cannot neglect these Worker readers. Every step must be taken to guarantee that these are renewed.

-2-

The New Jersey Communist Party put out its first full dress newspaper. We can all be proud of the very well job done. The response by our own comrades and the workers was very good. 55,000 copies were distributed to workers in key concentration shops throughout the state and in concentration communities.

We now have an undertaking which we feel will certainly be welcomed by every member of our Party. And that is, that every week we will have one page in The Worker devoted to New Jersey news. We will have one person who will work on gathering material for this page. However, if we are to really make this page representative of New Jersey we must have the full cooperation of every leading member of our Party. Everyone must feel himself a reporter and send in as much material as he can gather.

We are very happy about a New Jersey page. We feel that it will serve a two-fold purpose: first, our readers will be better acquainted with the news of New Jersey, which they will not get from the capitalist press, and secondly, it can and must serve as an impetus for really building the circulation of The Worker here in New Jersey.

If we carry out the proposals and make our press an anti-monopoly instrument used by every Communist, at every Communist action, we'll begin to fulfill the role of leadership which our Party must fulfill as the vanguard of the working class.

(PROPOSALS ARE CONTAINED IN ATTACHED SUPPLEMENT OF PROPOSALS MADE AT THE STATE COMMITTEE MEETING.)

PROPOSALS

Proposals Based on Report by Sid Stein

Conducting the Economic Struggles in New Jersey

1. That the State issue a leaflet designed to draw the lessons of the Struggle in 50,000 copies for mass distribution and as a guide to our agitation and propaganda work in organizing the immediate struggles.
2. That we direct all Party organizations and Communists to initiate and participate in the organization of Consumer-Labor Committees in shops and neighborhoods and on City-wide scale to fight against price increases--By boycotts of decontrolled products--Buyers Strikes--Picket lines. And that we especially concentrate on unifying the broadest coalition behind these struggles, especially AFL and CIO unity.
3. That special attention be given to the Struggle in Concentrated Negro communities where the profiteering orgy is at its worst.
4. Demand a special session of Congress and the State Legislature to enact real price control.
5. Encourage the holding of city-wide meetings and conferences to discuss the fight for price control and wage increases looking towards united action of labor in the coming strike struggles.
6. Prepare the Party ideologically and organizationally for the coming strike struggles -- including the adoption of shop concentration -- Establishing firm ties with the workers in these shops so that we will be better prepared for the next round.
7. Sale of 3500 copies of the new Foster pamphlet on the Tasks of the Trade Union Movement.

Electoral Struggle in New Jersey

1. All-out campaign to make the August conference of labor and progressives a broad gathering of the type of a coalition we want to build and insuring its content. Comrade Fields to be placed in responsibility for leading this work.
2. Immediate steps to mobilize pressure on Brunner to take a stand on a Roosevelt platform thereby making it possible for labor and progressives to give support. Comrade Sam to be assigned by the State Committee to lead in carrying out this task.
4. County and Club organizations and Communists in mass work are called upon to intensify efforts at developing agreement on program with Candidates that can be supported. Organize County and City Conferences for the building organizations in specific communities.

5. Organize the Party Election Machinery now,-- Mass distribution of the State throw-away -- county leaflets on local candidates -- street corner and shop gate meetings.
6. Prepare now for the holding of large indoor rallies called by the broadest possible committees for the Communist candidates as the opening gun for the most intensive Communist Election Campaign. These meetings and the preparation for them to be the occasion for getting every possible mass figure, Party and non-Party, to come out in support of the Communist Gubernatorial Candidate.
7. That our candidates issue statements in their names on all issues.
8. Material to be distributed at meetings.
9. That our Campaign managers work for endorsements by trade union leaders, Negro and progressive leaders.
10. That our Party candidates make appearances at local Union meetings.
11. That we start gathering lists of watchers.
12. Communist candidates to lead delegations to local legislators.

Conducting the Struggle for Peace

1. The Call of the World Federation of Trade Unions with the participation of the CIO makes the demand for the breaking of relations with Franco Spain a broad starting point as well as a most urgent task in the struggle against American imperialism and its drive towards war. Initiating the broadest movement on this issue and skillfully and deliberately expose all other concrete manifestations of this Drive in the process of this struggle.
 - (a) Get Resolutions and Statements from all Local unions, Central Labor bodies and other mass organizations.
 - (b) Circulate State-wide Round Robin letter to be published as Ad's in newspapers which would involve all leading liberal and progressive as well as labor forces.
 - (c) Organize State delegations to the State Department in Washington.
 - (d) Organize State or Newark Council Sponsored picket line in front of the Spanish Consulate in New York.
 - (e) Build Win The Peace Conferences in every county as a result of these actions. (Special emphasis on building it in Newark as the base for a State Conference to set up a state-wide organization.)
(leading trade unionists)
 - (f) Proposed that three comrades be put in charge with leading and guiding through of this program in the mass movement, also that additional comrades be placed on this committee,-- a trade unionist from a shop, a leader in another mass organization and a member of the Secretariat.

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- (g) All Party organizations and members are called upon to organize actions of demonstrative and agitational character and to participate fully in helping to initiate and carry through actions in the mass movement;
- (h) Popularize the appeal to the United Nations made by the National Negro Congress as an excellent platform for the further exposure of the hypocrisy of American Imperialism, to heighten the level of the struggle for Negro rights as a National question and to build organizationally the National Negro Congress;

LITERATURE

Literature is a builder of Communist Consciousness.

1. That the September "Political Affairs" which carries the only report of the National Committee Meeting be circulated to all actives in our State, and that copies be ordered at once.
2. That we pledge to circulate 3,500 of Foster's pamphlet "The Tasks of Organized Labor Today."
3. That the Counties set up Agitational and Propaganda committees to hold Conferences during the first two weeks in September.

PROPOSALS ON PARTY BUILDING

1. That we do our concentration recruiting on a shop by shop basis with the objective of a concentration shop club in every plant so selected.
2. That the State Committee to call on the Party membership to take steps to carry out the recommendation of the National Office to recruit 125 AFL workers in the next 2 months. That we consider the possibility of putting a person on full-time to carry out this AFL Drive.
3. That the State Committee calls on the Party membership to fulfill the concentration goals set at the beginning of the Drive.
4. That we recruit 600 new members during our work in the November election Campaign.
5. That we enter 1947 with a registered membership of 3,000. In preparation for this, every county study carefully and carry out some form of integration for every new member.
6. That we revive the tradition of open Communist work, and take pride in our membership in the finest organization in America.
7. That the best forms of recruiting be continued:
 - (a) Each County be responsible for at least one discussion group of contacts.
 - (b) That the lists of subscribers to our press be used as a source of recruits.
8. That we make our plans around the recruitment of those groups most naturally allied to the working class.
 - (a) We continue and improve our recruiting in the Negro Community.
 - (b) We set a goal of 300 young Communist members DOING WORK in youth organizations by January 1st.
 - (c) We set some concrete goals and specific place to recruit veterans, and follow-up our plans.
9. That every County build at least one youth club.
10. That new members Conferences be held in the next month.
 - (a) One speaker to give outlook
 - (b) Social affair to follow
 - (c) Recruiter to be responsible for attendance.
11. That the State Training School in August be used to train new leadership
12. That a letter of greeting be sent to all new members by Sid Stein.
13. That a letter of greeting be sent to all new members by Sid Stein.
14. That the Textile Industry be considered for State concentration and our present concentrations in Ship and steel be reconsidered in the light of the post-war size of those industries.

CONSOLIDATION

1. That every county make a concentration on building dues payments, using the methods recommended, and agreed upon by the county organizers. This to be considered the special concern of the county Org Secretaries.
2. That attendance be improved by making our club meetings more attractive. This means a carefully planned educational at every meeting, and the streamlining of organizational points by division of work in the club, and use of the groups to carry out the necessary leg-work.
3. That we develop a functioning group system by training group captains to be political leaders of small Party units. It is to be understood that these units are to meet separately, and devote their "main attention" to the actual carrying out of Party activities.
4. That attention be given to continuous activity, and that the counties make sure that each club is consciously concentrating on a long-term project.
5. That we improve the discipline of our organization, using the world-wide tradition of our Party for sacrifice and devotion.
6. That we equip ourselves in the first place for political leadership of the working class in New Jersey, by constant searching and education. Since, this can only be done if we study and exchange the results of our studying on a regular basis, that we make the Wednesday morning discussion group an assignment for the leading comrades involved. For the most part, those who have been assigned to this discussion group get no other form of Marxist education, and have very irregular contact with the Party organization. Those of us who have made this discussion group a regular part of our Party work find that it is just as necessary to us as regular State Board meetings. We propose that the comrades assigned to this group, be responsible to attend regularly enough to make the group effective.
7. That we fight our way out of the present method of routing most of the work through the same few county leaders, by really building our departments and Commissions.
8. That a State-wide meeting of all Club Presidents be held to exchange experiences so far in the Consolidation Drive, and to lay plans for a successful windup by September 1st. The scheduled date of this meeting is Saturday, August 17th, 10:00 A.M. at 516 Clinton Avenue, Newark, New Jersey.

FUND DRIVE

1. That we finish the Fund Drive by September 1st, and give the first guarantee ourselves by duplicating whatever contribution we have already made and spreading this action to all active members.
2. That we correct a weakness of the Fund Drive by turning confidently to our industrial members and sympathizers for financial support to the Party.
3. That each county follow up the mailing of the Special Edition of the Daily Worker with an appeal for funds.

COMMUNIST ACTIVITIES IN THE NEWARK, N. J., AREA 1255.

I desire also to introduce in evidence a paper entitled "Party Organization," which was acquired by the same means by the staff, and ask that it be marked "Committee (Fisher) Exhibit 2," and that it be incorporated in the transcript of the record.

The CHAIRMAN. It is so ordered.

Mr. TAVENNER. This is a detailed report on party organization. I shall read the preface to it.

The following is a draft in outline form of a manual on organization. We plan to put out this manual to teach our members HOW to do the job. So far it is only a draft. With the suggestions and experience of the comrades in clubs and groups throughout the State, it will appear as our collective job.

How soon and how well that job will be done depends on what we all give to it.

Use it in clubs and groups—in planning education, in discussing dues, in working out the group setup. Then let us know where it was helpful and where it fell short.

This outline should go to all clubs of the party.

(The exhibit referred to is as follows:)

COMMITTEE (FISHER) EXHIBIT NO. 2

, , , , PART Y ORGANIZATION
(HOW TO DO IT)

The following is a draft, in outline form, of a manual on organization. We plan to put out this manual to teach our members HOW to do the job. So far its only a draft. With the suggestions and experience of the Comrades in Clubs and groups throughout the State, it will appear as our collective job.

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This outline should go to all clubs of the Party.

Concept of Membership

We must fight to make following section of our Constitution living reality:

Article 3, Sec. 2 - Constitution C. P., U. S. A. -----
 "Any person - who accepts the aims, principles and program of the Party as determined by its Constitution and convention, who holds membership in and ATTEND CLUB MEETINGS, WHO IS ACTIVE on behalf of the Party, who READS THE PARTY PRESS AND LITERATURE AND PAYS DUES REGULARLY, shall be considered a member".

1. This concept of membership includes:- "attendance at Club meetings."

- a) Group system can help solve problem of inactive members.
 - 1. By use of Buddy system within groups, i. e., an active Comrade must be responsible for one inactive Comrade. Must visit Comrade and have discussions on current and political issues. Must bring Comrade press and Party literature. Must be personally responsible to bring inactive Comrade to meetings. Also in political development of Comrades. To become part of social life of Comrades.
 - 2. Groups must meet on regular nights with planned agendas. However, where possible decisions of meeting night and place should be decided by entire group.
- b) Club Executives must assume authority in solving membership problems.
 - 1. In cases where Comrades who have been in Party for long periods of time and have grown lax, for one reason or another, in their Party responsibility, club executives must call these Comrades in and have full discussions with them on their full responsibility.
 - 2. Clubs must assist Comrades in overcoming obstacles to activity. give assistance in personal problems.
 - 3. Clubs must develop fuller educational program.
 - 4. Club agendas must be well planned and alive, dealing with issues of the day.
 - 5. Executive Board members as groups captains must rally membership for club meetings.
- c) Responsibility of Club membership director.
 - 1. Club membership director must know club membership. Know who has personal problems which prevent participation in activity. should call these problems to the attention of club and attempt to assist Comrade in overcoming them.
 - 2. Where special problems arise in integrating Comrades, Club membership director must become involved, even to point of going with group captain to visit Comrade.
 - 3. Club membership director, should regularly (preferably on weekly basis) discuss with group captains and get reports on attendance and dues.
 - 4. Must have constant contact with section, or County membership director, to meet on membership problems, dues, drives etc.
- d) New members of Party must be made acquainted with their responsibilities when they join.
 - 1. Very often new Comrade joins on one issue or another and we fail to bring full program of Party to the new Comrade.
 - 2. New members classes to be run on permanent basis and all new recruits must attend before being attached to club.
 - 3. A Buddy should be assigned to new Comrade to be responsible to see that new Comrade attends classes and later attends meetings.
 - 4. Membership director responsible for checking on attendance at new members classes.
 - 5. New member to be interviewed by County membership department during period attending class.
 - 6. We must strictly adhere to decision that new member must attend club meeting to be voted on and receive membership card.

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So as to begin with understanding that Club meeting is necessity.

2. "Activity In Behalf Of The Party"

- a) Find the activity, for which each member is politically and personally ready.
 - 1. Assignments should be made on a realistic basis, taking into consideration ability of Comrade, political development, time available, level of understanding and nature of work, etc.
 - 2. Clubs must become living organs with planned programs based on their particular neighborhood, shop or mass organization concentration.
 - 3. This must be done by careful examination and survey of existing situation. For example a club operating in a crowded slum area must fight actively for the needs of the people to relieve their living conditions. In the process of the struggle to draw in all of the club membership in some phase of this activity.
 - 4. Where problems exist such as husband unable to carry on Party activity because of opposition of wife, we must make every effort to win over and recruit the wife. Where a housewife is unable to get out because of small children, club should assist by setting up a sitters fund, or have older Comrade who cannot be active because of health, sit with children and wherever possible arrange meetings in such a Comrades home.
 - 5. When Comrades visit inactive Comrades they should bring with them in addition to the Worker, two pieces of current literature, one for the Comrade and one for a shop mate, friend or neighbor. perhaps on the next visit it can be suggested that the Comrade canvass two or three of his neighbors on the halilco campaign or some current issue. Experience has proven that once a Comrade becomes involved, obstacles to activity disappear.

3. "Reading Of The Party Press And Literature"

- a) "Without a revolutionary theory there can be no revolutionary movement" ----Lenin
- b) Constant propaganda of capitalist press and radio can only be counteracted by our press and literature.
- c) Many of our members fall prey to the red scare as a result of the constant barrage of big business, and in some cases almost concede illegality.
 - 1. Every Party member must at least read the Worker and all active Comrades must read the Daily, this will best guarantee that our Comrades fully understand issues and how to combat them.
- 2. Clubs must organize group study circles and classes based on Party literature and articles in the press. For example a club involved in Jewish work could very well have used the basis for a discussion in the club the recent editorial on the slaying of Count Bernadotte. Or all clubs could very well hold a discussion on Charter 8, of Foundations of Leninism to aid in fully understanding the role of our Party today.
- 3. It should be regular practice for all Comrades to carry with them a copy of the press when they visit and make all attempts to guarantee that the Comrade will regularly get and read our press.

4. "Payment Of Dues Regularly"

- a) We must strive to establish a consciousness amongst our members of the need of regular dues payments.
- b) Too often in the past dues has been glossed over and in some cases practically no attention at all has been paid to it, with the exception of periods of control or registration.
- c) Dues in addition to being a source of income to the Party, is also our monthly pledge of continued devotion and loyalty to the Party.
- d) All Clubs and particularly all membership directors must take steps to guarantee that this moral and financial support is a regular process. Methods such as a special point on Club agendas, setting up of special tables for dues, checking dues payments periodically etc., should be used. In addition dues must be one of the points raised when visiting.

page 3.

5. Our best and only guarantee that we can curb the threat of fascism and war which we face today is by:

- Unifying and revitalizing our entire Party.
- A keen grasp of Marxist theory.

By taking correct and necessary steps to guarantee that we accomplish these two tasks, we also take steps to guarantee peace and security for the American people.

6. At our State Convention we voted to have a three month testing period of our membership. This three month period will be during December, January and February, also our period of registration.

Based upon our Party Constitution our task is:

- To see that all members attend meetings.
- That all members carry on some activity.
- That our members read our Party Press and Literature.
- That our members pay dues regularly.

The extent to which we build the groups, carry out our program, draw our members into activity will guarantee the success of this testing period. We have five months to do the job and it can be done.

GROUPS

I. Basic need for Groups grows out of need to form closer bonds with the people of America.

- Relatively small Party working in large mass organizations.
 - We therefore need compact working units.
- Working in midst of politically backward workers.
 - We need highly organized core to lead.
 - These same small units used even where larger Parties give possibilities for closer forms of work.
- Often our Clubs are not "connected" with shop or community.
 - Group gives possibility of working as part of specific portion of people where need is greatest.
- Special conditions of present-day repression aimed to isolate us from people.
 - Group is form with greatest maneuver ability to overcome isolation, -- be accepted by the people.

II. In addition to the political reasons the Group has great organizational advantages.

- Mobility for quick changes of today.
- Contact with more members on a better level.
- Security of Party best guaranteed by Group.
- New forces will develop faster where leadership needs are not as rigorous.
- Warmth of relation between representative of Party leadership (Group Captain) and outermost Comrades.
- Education will reach more Comrades on the informal level above which many are at first unprepared to go.
- Mass work of the Party can be given more detailed attention in small groups.
 - "Volunteering" less of an effort.
- "Every Member a worker in some mass organization" possible through organizational form of the Group.
- The Group is organizational form to plant us in the many places necessary for our Party to become a MASS PARTY.

III. The Group as a Party unit.

- So far mostly a convenience for dues collection.
 - Some Groups "functional"
 - All Groups must be "functional".
- Groups must have a reason for existence.
 - Can be organized to work in a concentration working class, or important political areas.
 - Can be organized to work in a mass organization.
 - Progressive Party work best organized through Group.
 - Will create a center of responsibility.
 - Shop Club themselves should have some Group characteristics.
 - Not exceed 10 - 12.
- Groups will feel themselves part of coalition in mass organizations

or neighborhood, --- will fool their own entity.
 a) Help prevent liquidation tendencies.

4. Groups can give device for working within bourgeois led organizations.
5. Groups working in mass organizations not limited to this work alone.
 - a) Also have other normal Party functions.
 - b) Advantage lies in Comrades being able to discuss common problems regularly.
 - c) Gives Party regular check and point for guidance.

IV. JOB NOW

1. Over come hesitancy -- over come "force of habit" -- build at once.
 - a) Hesitancy due to fear of "lack of leadership".
 - b) Different kind of leadership needed - not so highly developed.
 - c) Convince Club leaders Group is not "another job" - but a solution to methods of getting present jobs done.
2. Train leadership.
 - a) Courses being planned.
 - Convention discussions, - playing up topics related to specific Group work.
 - Study of 10 Marxist Classes.
 - Know - now conferences on leaflets, Street meetings, canvassing.
 - b) Study and combine those methods as needed.
 - c) Use Buddy system in Groups.
 - d) Every Group captain to train a new leader.
3. Start at the beginning.
 - a) Need not have full-fledged Group or Group Captain at first.
 - Need perspectives.
 - b) Work at first within Club under supervision of Club Exec. ---.
 - Group Captains to work with some group of people.
 - c) Start out by visiting, ----- getting acquainted, having political discussions, selling press and literature, giving minimum political assignments.
 - d) Lead naturally to calling together the rest of the Group.
 - e) Final step - regularity of meeting, -- separate from the Club.
 - Group project to be worked out.
 - Responsibility of Groups to be established.
 - Groups education to be started.
 - Mass work of Group discussed and checked.
 - All Party campaigns handled through Group.

V. The Club and Groups

Example :-

1. Club of 25
 - a) Exec. of 5
2. Exec. members - Group Captains (except chairman)
 - a) Group members chosen for use or adaptability to concentration project of Group .
 - b) Care as to composition -- include Comrades at varying levels of development.
3. Four Groups organized on, e. g.,
 - Progressive Party
 - IWO
 - Congressional election district.
 - Consumers' Organization.
 - --or support to a concentration shop.
4. Groups in various phases of development.
 - a) Some meet alternate weeks, some just visit.
5. All responsible to Exec. for reports (by Group Captains).
6. Groups, -- Cultivate reserves of Party -- Build the Party Base
 - a) Sell Press
 - "Visit every subscriber once a month"
 - Visit less active members.
 - b) Discuss and learn from work in mass organization or neighborhood.

- e) Have own educational program
- d) Distribute leaflets and canvass.
- e) Collect dues and finances.
- f) Mobilize for central campaigns.
- g) Run recruiting classes, parties. Do these alone or with another group, or as a whole club.

7. Work to be coordinated at Exec. meeting by club organizer.

- a) Club organizer to get brief weekly check on activity of group from group captain.
- b) In Exec. discussions of campaigns Group captain to give experience of his Group, or report difficulties and get help.
- c) Organizer to cultivate habit of noting good experiences and method in Groups, and get Group captains to do the same.
- d) All campaigns to be planned by Exec. with consideration for project of each Group.
- For example --leaflet distribution--
Group helping shop club gets quantity needed for shop gate. Group working under special difficulties gets help on how to distribute leaflet, etc.
- e) One Group may take main burden of particular campaign if its project makes this practical.
- f) Education, press, literature handled through Group captains by club department heads at Exec. meetings.

8. Club to discuss how to involve all Groups in campaigns.

VI. DANGERS

- 1. Fraction method of work.

 - a) Discuss only mass org problems; have no Party education; not involved in Party campaigns.

- 2. Lack of planned political and educational work.

 - a) Tackle only details, and use Group as a Jimmy Higgins distribution center.

- 3. Prevent by giving Group type of Party life described. "every Group a Party unit."

FORCES AND METHODS OF COMMUNIST EDUCATION

1. Marxist Theory --what it is -- its importance.

A. Theory --The generalized experiences of the workingclass movement in all Countries.

- 1. Not incidental or exceptional but the generalized experiences.
- 2. Marxist theory is a science, based on the generalized experiences in all Countries, and therefore applicable to all Countries.
- 3. Theory must be linked with practice. This is a basic Marxist
- 4. But practice without a revolutionary theory is aimless, heedless and gropes in the dark.

B. What theory does (if connected with practice).

- 1. It gives confidence to the movement. It gives a scientific understanding of our immediate and long range objectives, and the inevitability of the victory of the workingclass movement. When theory grips masses of people it can become the greatest force in the labor movement.
- 2. It gives us the power to understand the connection and interconnection between events --some of which may seem to be widely separated or disconnected.
- 3. Marxist theory helps us to discern how and in what direction classes are moving now, and in the immediate future. This is of great importance to the vanguard Party of the workingclass, in working out its strategy and tactics, and in fighting for the immediate interests of the movement.
- 4. Our theory is always a guide to action - not a dogmatic or mechanical pronouncement.

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C. The Task of Our Theory ---there are all kinds of theories --bourgeois and workingclass, good and bad (for one class or the other) scientific and unscientific. Our theory is a science that has specific tasks to accomplish in the interests of the workingclass and the exploited peoples. Our theory is a class science.

1. It is the task of our theory to not only understand the world, but help change it.
2. Unlike bourgeois theory, it is the task of our theory to reveal and expose all the antagonisms and contradictions and exploitation in modern society. Bourgeois theories try to cover up, to mitigate these antagonisms and contradictions. This is the difference between revolutionary and reactionary theory.
3. Our theory traces the evolution of these antagonisms and contradictions. It shows they arose, how they developed, it shows their temporary nature, and the inevitability of their transformation into another form.
4. This understanding enables the Communist Party to fulfill its main reason for existence. That is to lead the workingclass in struggle to put an end to every kind of exploitation for all time. Lenin: "The role of the vanguard can be fulfilled only by a Party that is guided by an advanced theory".

II. Communist Education

A. Communist education can be divided into two main parts -- inner Party education and mass education. These are not separated but are intimately connected. Just as the whole outlook of the Party is a mass outlook so our attitude toward education must be a mass outlook. We study Marxism, organize classes, schools, etc. not for academic reasons, but in order that we can more effectively conduct the mass ideological struggle to win the workingclass and the people to a scientific understanding of what is taking place, and on the basis of this understanding move masses of people into action.

B. Forms of Inner Party Education.

1. Through the basic unit of the Party --the club meeting. Half of each club meeting (first half of the meeting) should be devoted to a political - educational discussion. It should start with present day politics. It should not be merely a "current events" discussion, but should provide a basic understanding by making clear the underlying theory involved. It should be related to the problems and the work of the club, and should lead to activity on the part of the club. Examples of what can be discussed: Convention reports, plenum reports, Daily Worker articles and editorials, particular questions that are agitating the people, Political Affairs articles, etc. All discussions should be related to the State, the County and the work of the Club.

2. Groups --- offer an opportunity for the above kind of education on a more informed basis --even more closely and specifically tied up with the practical problems faced by the Comrades.

3. The Press - Reading of our press is one of the main methods of lifting the political and theoretical level of our membership. Party leadership on all levels must at least read the Daily Worker every day. All members must at least read the week-end worker. Articles and editorials should be used as a basis for club educational discussions. Each club meeting should begin with a short discussion on a Worker article or story.

4. Club classes --held separate from club meeting, for study of basic Marxism as part of Party's general ideological campaign. Based on outlines and material specifically worked out such as "Marxist Study Series #1", and the shortly to be issued "Series #2", 10 classics of Marxism. Leading Comrades in the County assigned to teach.

5. Special schools or classes -- On County and State basis, - evening and weekend - special subjects taught according to needs of the County. Students to comprise special sections of the membership such Party leaders (on various levels) trade unionists, youth, etc.

6. Self Study -- a basic method of Communist education for which there is no substitute. Every Party member must study.

7. Full time schools --where full time schools needed to develop cadre. Comrades selected because of their demonstrated capabilities and

page 7.

possibilities, for more intensive training. Full time schools give students rounded out theoretical training by means of class room lectures, discussion, questions and making reports. The conduct of our full time schools again emphasizes the difference between Communist and bourgeois education. Our schools unlike bourgeois schools work collectively to raise the level of the entire school with the more advanced students helping to develop the less advanced.

III. Mass Education

- A. The Press -- our one single best method of mass education. Readers of our Press have consistent contact with Marxist ideology.
- B. Mass Meetings --More mass meetings needed --around historic national and international dates. Organized in the neighborhoods on specific neighborhood issues. This is an established institution that has a demonstrative character besides furnishing an opportunity for mass education.
- C. Literature --not used sufficiently or in a planned manner in Party campaigns, or by clubs on specific issues that will help the club solve problems. A Party pamphlet remains with the person and can be educating him when we are not actually in personal contact with him.
- D. Forums and debates --an old form of spreading our ideology and at same time polemicizing against wrong ideas right on the same platform with those who advocate non-working-class ideology. Not used sufficiently. We should issue challenges and arrange such debates. Has the added advantage of reaching larger masses because of more interest stimulated by a debate.
- E. Leaflets -- one of the established methods of getting our message to the people. Must issue more leaflets on a club or local scale dealing with specific issues and the Party position on them. "Know Your Classes" to be organized in all Counties on how to get out a leaflet--dealing with content, makeup, form how to type a stencil, mimeograph the leaflet, etc. thus equipping our clubs with the ability to get out club leaflets.
- F. Street and Shop Gate Meetings -- An old American form that enables us to speak face to face with the workers where they work, or the people in the community where they live. Develops speakers, ability to answer questions, think quickly etc. Brings the Party before the people. Special material to be issued for the clubs on the mechanics of exactly how to organize a street corner meeting.
- G. Radio --Limited because of finances but must be issued as much as possible. Radio programs should be monitored in each County. Demands for free time officially requested to answer attacks on Party. The advantages of this medium are obvious -- wide audience and reach people we might not ordinarily reach by other methods.
- H. Visual aids such as film strips. More interesting than just a speech or lecture. For both mass and inner Party education. Last Counties have film strip machines. Should be used in all Clubs and at all kinds of meetings.

- IV. Conclusion -- Our Party is a different kind of a political Party than any other. It is guided by and based on a science. We want to give this scientific understanding, on all questions, to our own members, and to the workers and the people in order to draw masses of people into activity. The objectives of our education is to make people see things as they are, as they exist, who and what is responsible for these things, and to convince masses of people to struggle to change them in their own interests. This is the very objective of defending the reactionary order of things, of covering up the contradictions of present society with all kinds of unscientific explanations designed to prevent the people from struggling in their own interests to better their conditions. To do this it is necessary to use popular language, forms and methods, but it must not water down our scientific concept. First the science must be mastered then the popular forms of, and methods of getting it across worked out.

████████████████████████████

wcpwa/7

Issued by State Org. Boro

Mr. Fisher, I hand you this document and ask you if you have ever seen it before?

Mr. FISHER. I see some very interesting questions in this document, sir, but I have to decline to answer that question for the same grounds, same reasons.

The CHAIRMAN. You are not compelled. You say, "I have to." Do you decline to answer?

Mr. FISHER. I am compelled, sir.

The CHAIRMAN. Do you decline?

Mr. FISHER. I do decline for the same grounds, same reasons.

(The witness conferred with his counsel.)

Mr. TAVENNER. On page 2 of this document I will read item 3, or parts of it. The item is entitled "Reading of the Party Press and Literature." The first statement is in quotations:

Without a revolutionary theory there can be no revolutionary movement—Lenin.

Is that one of the interesting questions that you referred to a moment ago that you saw in this document?

(The witness conferred with his counsel.)

Mr. FISHER. I decline to answer, same grounds, same reason.

Mr. TAVENNER. Included under this article is this paragraph:

Clubs must organize group study circles and classes based on party literature and articles in the press or all clubs could well hold a discussion on chapter 8, of Foundations of Leninism, to aid in fully understanding the role of our party today.

Under the title of, "Groups", appears this:

Basic need for groups grows out of need to form closer bond with the people of America.

Then the article proceeds to state why the Communist Party groups should be small:

(1) Relatively small party working in large mass organizations. (2) Working in midst of politically backward workers, (a) We need highly organized core to lead. (b) These small units used even where larger parties give possibilities for looser forms of work.

In addition to the political reasons the group has great organizational advantages.

1. Mobility for quick changes of today.
2. Security of party best guaranteed by group.

3. New forces will develop faster where leadership needs are not as rigorous. Can be organized to work in a concentration working class or important political area. Not exceed 10 to 12.

I think that means membership of the group not to exceed 10 to 12.

"Progressive Party work best organized through group," not exceeding 10 to 12. "The job outlined to be accomplished at the moment is divided into a number of subdivisions."

I will refer only to training leadership:

(a) Courses being planned, convention discussions, playing up topics related to specific group work, study of 10 Marxist classics, know-how conferences on leaflets, street meetings, canvassing. (b) Study and combine those methods as needed. (c) Use buddy system in groups. (d) Every group captain to train a new leader.

Mr. DOYLE. May I interrupt? Mr. Tavenner, I haven't heard you read yet, and I want to be sure you do read where this outline of study

or program lists anything about studying the United States Constitution. Will you please call my attention to that?

Mr. TAVENNER. Here is a title under which such a suggestion should appear, if at all, in this document. It is entitled "Forms and Methods of Communist Education."

Mr. DOYLE. They are studying Leninism according to that outline.

Mr. TAVENNER (reading). I. Marxist theory, what it is, its importance. (a) Theory, the generalized experiences of the working class movement in all countries. Theory must be linked with practice. This is a basic Marxist.

That is item 3.

4. But practice without a revolutionary theory is aimless, headless, and gropes in the dark.

There is no mention in the document of the matter you referred to, Mr. Doyle. There is a subject entitled "Communist Education."

Communist education can be divided into two main parts, inner party education and mass education.

That gives a general idea of the document, those various subjects are developed at greater length. I believe that is all I need to refer to now with regard to that document.

I have also another document entitled "Organizational Letter," which I will offer in evidence and ask that it be marked "Committee (Fisher) Exhibit No. 3" and that it be incorporated in the transcript of the record.

The CHAIRMAN. It is so ordered.

(The exhibit referred to is as follows:)

COMMUNIST ACTIVITIES IN THE NEWARK, N. J., AREA 1265

COMMITTEE (FISHER) EXHIBIT NO. 3

ORGANIZATIONAL LETTER

RADIO BROADCASTS

"Far ged out of the people's war has come a weapon as important as plane and gun, food and factory. The classrooms and public forum, the book and pamphlet, the radio and town meeting have become war weapons, as sharp and decisive as bullets in the struggle against fascism. These critical times have emphasized the need for education as one of the foundation stones for building a peaceful world of democratic nations".
(Jefferson School)

In line with the decisions of our National Convention to reach larger masses of people with the significance of Teheran and the general policies of our Association, the State Committee has arranged a series of Sunday morning broadcasts over Station W P A T (930 on your dial) at 10:30 A.M.

The following is a list of the topics for the first five weeks:--

Sunday, Sept 24 - UNITED STATES FOREIGN POLICY
Speaker - William Norman, State President C P A

Sunday, Oct 1 - RECONVERSION - STEPS TO SECURITY AND EMPLOYMENT

Sunday, Oct 8 - LABOR AND EMPLOYER RELATIONS NOW AND IN THE POST WAR

Sunday, Oct 15 - THE NEGRO PEOPLE AND NATIONAL UNITY

Sunday, Oct 22 - THE POLISH PEOPLE AND UNITED STATES UNITY

These broadcasts should be heard not only by every member of our Association but by the friends, relatives and shop mates of each member.

Each club should arrange Sunday morning breakfasts at the home of members to which friends should be invited. Organize discussions around the topic of the broadcasts and make appeals for membership into the Association. Don't leave the organization of these listening parties to chance; concentrate for the first broadcasts on people with mass contacts. Put special attention into this and we shall easily realize a large increase in recruiting.

* * * * *

New Jersey Labor School - With the beginning of the Fall term only two weeks away, registration on the part of our members in the School has only reached a total of 15 students as of today. This is a sad commentary on the importance we place in the whole question of education of our membership. We have an unusual opportunity here in Newark in having a school at our disposal equal in calibre to schools established only in the largest cities of the country. To neglect to take advantage of this opportunity would be shameful. We suggest that you

immediately: --

- 1 - Draw up a list of at least 30 members of your club whom you feel should attend one of the classes offered at the school.
- 2 - Make sure that each one of these names is assigned to one member of your club executive and that they get in touch with the members urging their attendance. Make out the registration card for the desired class immediately and get it down to the school.
- 3 - Send to the County office by Friday, the list of people whom you want to see take the classes and the number of registrations by then.
- 4 - Discuss with your trade unionists and members of mass organizations how they can bring others from their shops and organizations to the classes.
- 5 - Pay some attention to the kinds of classes that our members are taking giving them advice as to those that they will derive most benefit from.

FUND DRIVE - The State Committee has agreed to extend the time of the Fund Drive until October 31st. Actually, for almost all the clubs and for the individual members, it means starting the drive all over again, since with but a few exceptions there has been absolutely no activity on the fund drive. The State has put out a new, beautiful collection book, which should be picked up by the clubs before Tuesday. We suggest that you read the important message contained in this leaflet "A CRUCIAL TASK" at your next meeting and make plans to re-organize your drive in the club. Concentrate particularly on getting our members to raise money from their friends. So far in the drive, we have done an excellent job of collecting money from our own members, but our greatest weakness has been that it has remained an inner-club drive. A few suggestions on the drive

- 1 - Get this new collection book into the hands of every member
- 2 - Discuss with him ways and means of raising money, either through direct contributions from friends or through arranging small house gatherings. If the member can't arrange for a house gathering by himself, get two or three together to run one.
- 3 - If no big event has yet been arranged by the club as a whole, organize one immediately.
- 4 - Discuss the drive at your next club meeting (this week), bringing out some of the things for which money raised in our campaign is used, for education, such as the radio broadcasts, for literature distribution, for printing of special leaflets, for distribution of The Worker occasionally in front of shop gates on special occasions. Don't take for granted that our members know what this money is for.

We list below the figures on money raised so far in the drive (as of last week)

CLUB	GOAL	MONEY RAISED
Third Ward	1800.00	1291.50
Clinton Hill	2200.00	1300.00
John Brown	1800.00	899.85
Ironbound	1000.00	655.00
West Side	1000.00	617.10
Orange	800.00	249.10
Seventh Ward	100.00	-----
Ralph Fox	350.00	136.40
County	2550.00	612.75
	11,600.00	5761.70

Divide the balance that you must still raise in order to fulfill your quota by three and make sure that you meet the following time schedules: October 2nd, October 16th and October 31st.

Mr. TAVENNER. I refer to page 3 of this document where the question of fund drive is discussed. The document then lists certain groups of the Communist Party and shows what the goal of each group was, the amount to be raised, and the amount that had been raised at the date of the report. The total goal of 9 clubs was \$11,600, of which \$5,761.70 had been raised as of the time of this report.

It is interesting to look at these club names and the goals because it gives some indication of the relative strength of those groups. I would like to read those clubs. These are not industrial clubs as it will appear here.

Third ward, goal, \$1,800; money raised, \$1,291.50. Clinton Hill, goal, \$2,200; money raised \$1,300. John Brown, goal, \$1,800; money raised, \$899.85. Iron Bound, goal, \$1,000; money raised, \$655. West

Side, goal, \$1,000; money raised, \$617.10. Orange, \$800 goal; money raised, \$249.10.

Seventh ward, \$100 goal, no money raised. Ralph Fox, which has been ascertained by investigation of the staff to be the teachers group of the Communist Party, \$350, as a goal and amount raised, \$136.40 County, \$2,550 for the goal and amount raised, \$612.75.

The CHAIRMAN. I think Mr. Tavenner, it is appropriate at this point to state that the West Side Club referred to above is not the West Side Democratic Club. I would like to make a part of the record of the committee files a letter from the president of the West Side Democratic Club. He is a very fine citizen.

(Letter filed in committee records.)

Mr. TAVENNER. I might say, Mr. Chairman, we have been met with this problem at many different places, particularly in industry where a Communist Party club was given the name of the factory in which the club was organized, and it has caused considerable confusion in the past because people didn't understand it.

I tried to explain yesterday that this was a geographical designation of Communist Party clubs. I desire at this time to offer 2 other sheets which were obtained with these, and ask that they be marked "Committee (Fisher) Exhibits 4 and 5," respectively, for identification purposes only and to be made a part of the committee files.

The CHAIRMAN. It is so ordered.

Mr. TAVENNER. Mr. Fisher, what is your present employment?

(The witness conferred with his counsel.)

Mr. FISHER. I decline to answer that on the same grounds, same reasons which I have explained before, sir.

Mr. TAVENNER. Are you now a functionary of the Communist Party?

Mr. FISHER. That is another way of asking the same question. Same answer, sir.

Mr. TAVENNER. I have no further questions.

Mr. DOYLE. Did you serve in the military forces of the United States?

Mr. FISHER. I did not, sir. I was physically unable to.

Mr. DOYLE. Were you so classified?

Mr. FISHER. Yes, sir. Are you trying to discredit me, sir?

The CHAIRMAN. No.

Mr. FISHER. Yes, sir; I was classified 4-F.

Mr. SACHER. I have a one-page statement I would like to leave with the committee.

The CHAIRMAN. Yes.

Mr. SACHER. I am willing to submit to cross-examination on it because I intend to give it to the press so that if you wish to cross-examine me I am ready to submit myself to cross-examination, which you don't extend to those whom you—that is a fact, you don't permit us to cross-examine other people so I am offering, however, to submit myself to your cross-examination.

The CHAIRMAN. We know you too well, Mr. Sacher. We wouldn't dignify you by asking you a question.

Mr. SACHER. You won't? You had better read that first.

Mr. FISHER. Is that the usual procedure of this committee?

Mr. SCHERER. I have no questions.

The CHAIRMAN. Any further questions, Mr. Tavenner?

Mr. TAVENNER. No, sir.

The CHAIRMAN. The witness is excused and the committee will stand in recess for 10 minutes.

(Brief recess.)

The CHAIRMAN. The committee will be in order.

At the outset I think Mr. Doyle should read a telegram that he just received.

Mr. DOYLE. Yes, Mr. Chairman.

YONKERS, N. Y.

Congressman CLYDE DOYLE,

Newark, N. J.:

Rank and file members of UE, local 419, employees of the Eastern Metal Products Corp., in Tuckahoe, N. Y., commend you and your associates of the House Un-American Activities Committee. We unfortunately are members under the jurisdiction of district 4, UE, and feel it is a disgrace to the American labor movement to have a Communist-dominated leadership. Communism in any organization is a sore that can eventually eat away American ideals. In reading the newspapers we sympathize with the task before you for we, too, the membership, have been under pressure of name-calling when we took a position against Communist and communism. Good luck and Godspeed in your task.

RANK AND FILE MEMBERS, UE, LOCAL 419.

Mr. SCHERER. Mr. Chairman, during the recess a statement was handed to me, signed by, I estimate, somewhere between a hundred and two hundred persons. Local 428, on May 3, passed a resolution condemning the activities of this committee. This statement signed by the number of persons I have indicated is of similar import to the telegram just read by Congressman Doyle. This statement reads as follows:

Congress of the United States, House of Representatives, Un-American Activities Committee.

GENTLEMEN: We the undersigned production employees of the Sonotone Corp. at Elmsport and White Plains plants do hereby protest and signify that we are not in agreement with the motion made by United Radio Electrical and Machine Workers of America. Local 428 at a recent meeting May 3, 1955, condemning the good efforts of your committee, especially the investigation of some of our officers. This motion was to be in the form of a report to you and was passed by less than 30 members attending this meeting out of a total of approximately 800 members. Due to present conditions beyond our control we voice our protest in this petition.

The CHAIRMAN. It will be made part of the record. I believe Mr. Trueba wants to make a statement. Is he here?

Mr. TRUEBA. I am. I am making this statement on behalf of all the members of local 461, IUE, CIO, at the Singer Manufacturing Co., in order to clarify unfair reflections on our union which Walter Polleshuck's testimony and statement may have cast yesterday.

One. The executive board of our local denied him representation by the union attorney after he said he would plead the fifth amendment, even though our national IUE-CIO office told him to testify fully.

Two. The executive board of our local directed Walter Polleshuck to answer all questions of the House Un-American Activities Committee.

Three. Walter Polleshuck in concluding his testimony asked to insert in the record the statement to the effect "I would like to state that I think I have done my duty to my country by refusing to cooperate with this committee."

As president of local 461, IUE-CIO, and on behalf of the membership who are loyal Americans, I wish to say that his statement does not reflect in any way the attitude and convictions of our members.

Four. I know I speak for the workers of the Singer Manufacturing Co. when I say that while we may differ with some of the procedures of the committee, we

clearly support the aims of this committee and any other official committee of the Congress of the United States in trying to bring out the menace and aims of the Communist Party toward the United States and its loyal citizens. As loyal Americans we will obey the laws and Congress of the United States. We will fight to defend our country against communism and we as a union will take appropriate action against any of our members who may try to do otherwise.

I thank the committee for the opportunity of inserting this in the record and to say that the officers and members of local 461, district, national IUE-CIO wholeheartedly support the aims of this congressional committee.

SAMUEL TRUEBA,
President, Local 461, IUE-CIO.

The CHAIRMAN. This does not surprise me, Mr. Trueba. Your splendid organization has contributed much in the efforts that labor is making to put its own house in order and I wish you a lot of luck in continuing with this work.

Mr. TRUEBA. We will continue to do so.

The CHAIRMAN. You may proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Robert Lowenstein, will you come forward, please.

The CHAIRMAN. Will you raise your right hand, please. Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LOWENSTEIN. I do, sir.

Mr. DOYLE. Be seated, please.

TESTIMONY OF ROBERT LOWENSTEIN, ACCCOMPANIED BY COUNSEL,
JOHN O. BIGELOW

Mr. TAVENNER. State your name, please.

Mr. LOWENSTEIN. Robert Lowenstein.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. LOWENSTEIN. Yes, sir.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. BIGELOW. John O. Bigelow, 744 Broad Street, Newark.

Mr. TAVENNER. When and where were you born, Mr. Lowenstein?

Mr. LOWENSTEIN. Born in Newark, N. J., July 13, 1907.

Mr. TAVENNER. Do you now reside in Newark?

Mr. LOWENSTEIN. Yes, sir.

Mr. TAVENNER. Will you tell the committee, please, in what profession you are engaged?

Mr. LOWENSTEIN. I am a teacher, sir.

Mr. TAVENNER. Will you tell the committee briefly what your educational training has been for your profession?

Mr. LOWENSTEIN. Yes, sir. Subsequent to graduation from the Newark public schools, after an interval of a year after graduation from high school, I attended Rutgers College as it was then known from 1924 to 1928. The following year I attended the University of Pennsylvania, and with an interval of again 1 year, I then attended Johns Hopkins University, resident there from 1930 to 1933, and received my final degree from it in 1934, and since then I have taken varied educational courses that I thought would contribute to my improvement as a teacher, sir.

Mr. TAVENNER. Was your degree in education?

Mr. LOWENSTEIN. No, sir; it was in Romance languages.

Mr. TAVENNER. Will you tell us the year in which you received your degree from Johns Hopkins?

Mr. LOWENSTEIN. Yes, sir; it was 1934 and the degree was Ph. D.

Mr. TAVENNER. Have you engaged in the teaching profession since the completion of your studies?

Mr. LOWENSTEIN. Yes, sir; but for the interval that I was in the Army.

Mr. TAVENNER. What period were you in the Army?

Mr. LOWENSTEIN. From November 1942 to November 1945.

Mr. TAVENNER. Will you tell the committee, please, what your employment in the teaching profession has been?

Mr. LOWENSTEIN. I have been a foreign language teacher, sir.

Mr. TAVENNER. I meant where and what dates.

Mr. LOWENSTEIN. I see. When I was a graduate student at Johns Hopkins I did some undergraduate teaching there. Subsequent to leaving Baltimore and receiving my first regular teaching job in the Central High School of Trenton, N. J., I taught foreign languages for 2 years.

Subsequent to that I came to Newark and have been teaching in the Newark public schools, foreign languages, since 1935.

Mr. TAVENNER. In your early teaching experience, didn't you teach abroad?

Mr. LOWENSTEIN. Yes, sir.

Mr. TAVENNER. You didn't tell us that. If you did, I didn't catch it.

Mr. LOWENSTEIN. It wasn't employment, really, sir. It was an exchange arrangement. I was an English assistant at a boys' normal school in southern France.

Mr. TAVENNER. That is part of your record of employment in teaching. How long were you teaching in France?

Mr. LOWENSTEIN. One year, sir.

Mr. TAVENNER. During the period in which you have been a teacher in Newark, have you been identified with the American Federation of Teachers organization?

Mr. LOWENSTEIN. Yes, sir.

Mr. TAVENNER. When did you first become affiliated with the organization?

Mr. LOWENSTEIN. I don't remember, sir. I could give it approximately.

Mr. TAVENNER. Well, approximation is sufficient.

Mr. LOWENSTEIN. 1937, approximately.

Mr. TAVENNER. Has that membership continued until the present time?

Mr. LOWENSTEIN. Yes, sir.

Mr. TAVENNER. Have you held any official position in the organization?

Mr. LOWENSTEIN. Locally?

Mr. TAVENNER. Both locally and statewide and nationwide if the facts justify it.

Mr. LOWENSTEIN. Yes, sir; I have.

Mr. TAVENNER. What were they, please?

Mr. LOWENSTEIN. Executive board member of the local, and for a brief period, I believe I was president of the local, a very short time.

Mr. TAVENNER. Will you tell us when you were on the executive board, the year approximately?

Mr. LOWENSTEIN. I dare say 1939 and on up, I think after the war I became a vice president, one of the vice presidents of the local, and

about 2 years ago we instituted the position of executive vice president because the task of the president was so onerous and enormous in an organization that operates with voluntary help almost exclusively. I served in that capacity of the executive vice president for the past 2 years.

On the State level, sir, I have been on the editorial board of the official organ of the State Federation of Teachers known as the New Jersey Teacher, I am currently the editor of our resumed State publication, the New Jersey Teacher.

I have served my local as a delegate to perhaps too many national conventions of our national organization for me to recall exactly how many.

Mr. TAVENNER. Too many? What do you mean by that? Do you regret your having attended the meetings?

Mr. LOWENSTEIN. I never regret having attended meetings sir, but very often I regret what I might otherwise have done with the time I put in on them.

Mr. TAVENNER. Was there anything that occurred at those meetings which occasions you to say that you regretted that you attended too many.

Mr. LOWENSTEIN. No, sir.

Mr. TAVENNER. Did you attend the conventions held in Detroit in 1940 or 1941?

Mr. LOWENSTEIN. I am fairly sure that I did, sir.

Mr. TAVENNER. That was the time I believe at which there was a great disturbance within the parent organization, the national organization of the American Federation of Teachers because of Communist infiltration into the locals in Philadelphia and the city of New York, and those delegations were not seated at that convention, isn't that true?

Mr. LOWENSTEIN. I think that is correct, sir.

Mr. TAVENNER. Did your statement that you attended too many conventions have anything to do with that dispute or that fight within the American Federation of Teachers?

Mr. LOWENSTEIN. No. To be perfectly candid, sir, what prompted the interjection of that phrase "perhaps too many" is a feeling that I just wish I gave myself more time for some of the other things that I would like to do.

Mr. TAVENNER. You gave a great deal of time to the American Federation of Teachers, didn't you?

Mr. LOWENSTEIN. I am quite devoted to it, sir.

Mr. TAVENNER. Mr. Chairman, the committee has received evidence from time to time about the interest of the Communist Party in the American Federation of Teachers. There are two witnesses I have in mind who gave a great deal of testimony on that subject. It would be very expensive and I think unnecessary to reproduce that testimony here, but I believe in questioning this witness and to have a thorough understanding and background in what we are talking about and what we desire to learn, it would be well for me to review briefly the testimony of those two witnesses.

The CHAIRMAN. Proceed.

Mr. TAVENNER. It will take a little time and I apologize for that.

I want to refer first to the testimony of Dr. Robert Gorham Davis, February 25, 1953, before this committee.

Are you acquainted with that testimony? Have you read it?

Mr. LOWENSTEIN. I don't believe I have.

The CHAIRMAN. Do you know Dr. Davis?

(The witness conferred with his counsel.)

Mr. BIGELOW. Could you identify him a little more?

Mr. TAVENNER. Yes, sir. Dr. Davis was a professor at Harvard University. He taught at other places, too, and I possibly should refresh my recollection about the places at which he taught.

(The witness conferred with his counsel.)

Mr. TAVENNER. He taught at Rensselaer Polytechnic Institute from 1930 to 1933, was assistant at Harvard from 1933 to 1934. He was an instructor at Harvard from 1934 to 1940, and a faculty instructor at Harvard from 1940 to 1943. Then he went to Smith as a visiting lecturer and was made an associate professor there in 1945 and a full professor in 1952. Does that identify him to you?

Mr. LOWENSTEIN. I would have to answer that this way, sir: There are so many people whom I have encountered whom I may have known, whom I may know and may not have a clear recollection of that I feel it would be wisest and safest for me to refuse to answer the question, sir.

The CHAIRMAN. Instead of refusing to answer the question, if you are not certain why don't you just say, "I don't believe I know him," or, "I don't know," or "I don't remember," but why do you say that it would be safer to plead the fifth amendment?

Mr. LOWENSTEIN. Because I don't want to engage in that area of discussion, sir.

Mr. TAVENNER. Let me set you at ease. Dr. Davis made no mention of you in his testimony.

Mr. LOWENSTEIN. That possibility did not occur to me, sir. I simply expressed my view about answering as to my knowledge of this individual.

The CHAIRMAN. Why don't you say, "I don't remember"? Why do you say "I refuse to answer on the grounds that it might incriminate me"?

(The witness conferred with his counsel.)

Mr. LOWENSTEIN. Sir, I will stand on the answer I have already given.

The CHAIRMAN. I might say for your information that Professor Davis too felt he had spent too much time in this organization, only he did something about it.

Mr. LOWENSTEIN. I will ask you if you will be good enough to remember I did not say I spent too much time in this organization.

Mr. TAVENNER. Dr. Davis testified that while at Harvard University he became a member of the Communist Party and remained a member for several years, that after getting into the party and understanding fully its objectives, he got out of the Communist Party.

He testified freely before this committee explaining those facts, his reasons for getting out of the Communist Party, and he gave the committee information regarding what he considered to be the objectives of the Communist Party at Harvard University in the group that he belonged to, and as a basis for our understanding of the questions, I want to tell you the substance of his testimony.

There was read to Dr. Davis a quotation from Lenin which is as follows:

Today the chief task of those members of the teaching profession who have taken their stand with the International and the Soviet Government is to work for the creation of a wider and as nearly as possible an all-embracing teachers' union.

Then continuing to quote from Lenin:

Your union should now become a broad teachers' trade union embracing vast numbers of teachers, a union which will resolutely take up its stand on the Soviet platform and the struggle for socialism by means of a dictatorship of the proletariat.

I asked Dr. Davis a question:

Are you aware of those purposes and of that thinking of the Communist Party?

To which Dr. Davis replied that he was.

Then I asked him this question:

What activity did your group engage in which might be said to have carried out the policy as expressed by Lenin of assisting in the organization of teachers trade union movement which would be adaptable to the purposes of the Soviet Union?

To which Dr. Davis replied:

We worked very hard to build up the teachers union in Harvard and to build up teachers unions generally, and we did this with a comparatively clear conscience because our objectives, our immediate objectives were to improve teaching conditions, raise salaries, and so on, but also obviously we wished teachers to take the same position that we took on public questions. We usually discussed before a meeting what policies we would urge at the meeting and whenever there were elections we would decide—

“we” meaning those of his Communist group—

in advance what candidates we would propose to support.

Dr. Davis advised the committee that that was the chief objective of the Communist Party group of which he was a member, namely, to get control of the teachers union for Communist Party purposes.

Dr. Davis further testified that in his judgment a person who was a dedicated member of the Communist Party and subject to its directives was not a free agent.

I questioned Dr. Davis about the book, *Toward Soviet America*, written by William Z. Foster, printed in 1932 relating to the subject of education.

This is what William Foster wrote:

Among the elementary measures the American-Soviet Government will adopt to further the cultural revolution are the following: schools, colleges, and universities will be coordinated and grouped under the national department of education and its State and local branches, the studies will be revolutionized, being cleaned of religious, patriotic, and other features of the bourgeois ideology, students will be taught on the basis of Marxian dialectic materialism, internationalism, and the general ethics of the new socialist society. Present obsolete methods of teaching will be superseded by a scientific pedagogy, religious schools will be abolished.

I asked the doctor:

Do you recall having read or having that passage brought to your attention while you were a member of the Communist Party?

Dr. Davis said:

No. This is the pattern, however, that has been followed in Communist countries as one could assume now and assume then it would be followed if the Communist government came into power in the United States, but the Communist line shifted somewhat in the latter 1930's. That was the period when Browder's slogan, "Communism is 20th century Americanism," was being used and again the Communists were reluctant to offend those they might bring into the broad united front and they used a somewhat subtler approach.

Are you acquainted with William Z. Foster's book, *Toward Soviet America*?

Mr. LOWENSTEIN. I decline to answer that question, sir. I think it seeks to make me a witness against myself, contrary to the fifth amendment to the Constitution.

Mr. DOYLE. You mean because you read a book?

(The witness conferred with his counsel.)

Mr. LOWENSTEIN. I think my answer is adequate, sir; I trust.

The CHAIRMAN. You feel if you admit you had seen this book, read it and studied it, you might be subjected to a criminal prosecution? This is the United States, you know.

(The witness conferred with his counsel.)

Mr. LOWENSTEIN. I will stand on my answer, sir.

Mr. TAVENNER. I called to Dr. Davis' attention another book of more recent vintage entitled "The Schools and the People's Front," by Richard Frank. Richard Frank was a member of the education commission of the Young Communist League. This book was published in May 1937 on the subject of this particular point. This is what he had to say:

The task of the Communist Party must be first and foremost to arouse the teachers to class consciousness and to organize them into the American Federation of Teachers, which is the main current of the American labor movement. In the effort to organize the teachers every care must be taken to bring together in united front actions all existing teacher organizations, and special attention must be paid to secure such action within the American Association of University Professors, the National Education Association, and the guild.

Our party members in these organizations must work actively toward this end.

My question was:

Did your experience in the Communist Party at that time indicate to you that the Communist Party members in those organizations were working to that extent?

Dr. Davis replied:

Certainly.

Then he further stated:

AAUP, as you remember, was not active at Harvard. The energies there were thrown entirely in the teachers union but what you just read was consistent with my experience of what occurred in the teachers union.

I believe that is all that I shall call to the committee's attention and to your attention with regard to the testimony of that witness, except to make it plain for the benefit of the record here that Dr. Davis withdrew entirely from the Communist Party and he has done everything he can since that time to oppose it.

We had at our hearings in Columbus, Ohio, in 1953, Dr. Bella V. Dodd, of New York City.

The CHAIRMAN. Isn't Dr. Dodd a lawyer?

Mr. TAVERNTER. Dr. Dodd is a lawyer at this time; yes, sir, since she severed her ties with the Communist Party.

Mr. SCHERER. At one time she was a teacher?

Mr. TAVERNTER. Yes.

The CHAIRMAN. She testified at Columbus, did she not?

Mr. TAVERNTER. Columbus and also at Philadelphia.

Dr. Bella V. Dodd was an organizer for the American Federation of Teachers and became its legislative representative in the State of New York between the period of 1938 and 1943. In her testimony before this committee she said as early as 1932 she had been active in a positive way with the Communists and the Communist Party, although she was not at that time a member of the Communist Party.

She testified before this committee that she did not become a member of the Communist Party until 1943. After that time she became one of the most influential open members of the Communist Party in this country until she left the Communist Party entirely and broke with it in 1948.

The CHAIRMAN. Do you know Dr. Dodd?

Mr. LOWENSTEIN. I don't care, sir, to discuss any of my personal relations, possible or impossible.

The CHAIRMAN. You may not care to but I am asking you the question: Do you know Dr. Dodd?

Mr. LOWENSTEIN. I decline to answer that question, sir, respectfully.

The CHAIRMAN. On what grounds?

Mr. LOWENSTEIN. I don't want to be a witness against myself, sir.

The CHAIRMAN. How could you possibly be a witness against yourself by answering that simple little question of whether or not you know Dr. Bella Dodd?

Mr. LOWENSTEIN. Really, sir, my answer is adequate, is it not?

The CHAIRMAN. Do you decline to answer the question on the grounds that the answer might incriminate you?

Mr. LOWENSTEIN. I beg your pardon, sir, as I stated it, sir, I do not wish to be a witness against myself.

The CHAIRMAN. Is that not just exactly what you mean, that to answer the question might subject you to a criminal prosecution? Is that not what you mean?

Mr. LOWENSTEIN. Mr. Walter, without any desire to appear the least bit arrogant, I am usually capable of expressing precisely what I intend and I think I have done it adequately.

The CHAIRMAN. You may be right in that; yes. Now do you know Dr. Bella Dodd?

Mr. LOWENSTEIN. I believe I have answered that question, sir.

The CHAIRMAN. Let's hear your answer. Do you know her?

Mr. LOWENSTEIN. I decline to answer that question, sir.

Mr. TAVERNTER. Dr. Dodd held many important positions in the Communist Party, a member of the State committee of the Communist Party in New York from 1944 to 1948.

A member of the National Committee of the Communist Party for the same period, and she was State secretariat for the State of New York.

She was a member at one time or another of many of the most important commissions of the Communist Party, including women's com-

mission, labor commission, youth commission and the legislative commission.

In the course of her testimony she said that the Communist Party was very keen about organizing teachers, professors, educators, intellectuals, because these are the molders of public opinion, and these are the people who make the shift in public opinion for the country.

Teachers groups, she testified and, for instance, other groups like doctors, lawyers, scientists, what you will, had their own separate organization and teachers particularly, since they were large in number, had to worry about the question of security and losing their jobs, and they would be organized by themselves in certain periods of the party history. [Reading:]

During the periods of extreme united front movement—teachers were to join in street branches under different names and to merge themselves with housewives and others, but most of the time that I knew the party the teachers had their own special organization with just teachers. They never went to party headquarters, never went anywhere near where the party might be identified by meetings, were organized and held in out-of-the-way places in private homes.

The rest of her testimony is extremely interesting and might be of value, but it takes considerable time and I know the time of the committee is limited. She made it plain in her testimony that not all groups of the teachers union by any means were Communist. She talked about the effort and the purpose of the Communist Party in endeavoring to get control in the teachers union and I am sure the position the committee has taken on numerous occasions is not one of reflection on the national organization of the teachers union. Many organizations have been the object of Communist Party attack. That doesn't necessarily mean that they have had substantial success.

Mr. SCHERER. Don't you think you should say that the National Federation of Teachers acted timely and expelled certain locals that were Communist dominated in the 1941 convention?

Mr. TAVENNER. That is exactly what I propose to refer to. They did actually expel from the national union the entire locals of the city of Philadelphia, city of New York, and some other areas and cleansed itself of the certain amount of success that the Communist Party had achieved.

The committee in various parts of the country has inquired into this matter. In Harvard, as shown by the testimony of Dr. Davis, in Los Angeles as shown by the testimony of several of the teaching profession there who told us of the efforts of the Communist Party and the great fight the Communist Party made to get control of the teachers union, also in Philadelphia.

The committee has heard nothing about that subject in the State of New Jersey.

Now, from your testimony you were a very active person in the American Federation of Teachers, holding various positions and attending numerous conventions. You are in a position to know to what extent the Communist Party made an effort to get control of the organization in the State of New Jersey, their success or failure, and the methods used by the Communist Party in attempting to achieve those purposes.

That is introductory to the questions I want to ask you. I think you can see the purpose of it.

Were you aware of the existence in the city of Newark of an organization of the Communist Party limited chiefly to members of the teaching profession?

(The witness conferred with his counsel.)

Mr. LOWENSTEIN. Mr. Counsel, you gave a long introduction to that question, a long background, and I would like to give a brief introduction to my reply.

Basically that it seems to me in my observation and experience of our country in the past 10 years that the investigations of the type that goes into the beliefs, the ideas, the associations of the people—

The CHAIRMAN. Just a minute, we are not asking you about your beliefs. We are asking you whether or not you were aware of the existence of a Communist cell of people, is that right?

Mr. TAVENNER. Yes, sir; and this is the second time during this hearing that reference has been made to inquiries into what a man's opinion or thoughts are. I have asked no question, I am asking no question now about your personal beliefs.

I am not interested in your personal beliefs. I am interested only in what you know about activities and of any activities, any things that you did; what you believed and why you did them I am not interested in.

Mr. LOWENSTEIN. I was going to conclude that I decline to answer that question for the reasons previously given, sir.

The CHAIRMAN. You have declined to answer the question whether or not you were aware of the existence of such a cell. Were you yourself a member of the Communist Party?

Mr. LOWENSTEIN. I decline to answer that question, sir, for the same reasons.

The CHAIRMAN. Are you now a member of the Communist Party?

Mr. LOWENSTEIN. I decline to answer that question, sir.

Mr. DOYLE. On what grounds?

Mr. LOWENSTEIN. I will not be a witness against myself, sir. I think this is the area of opinion, too, opinion and association, sir.

Mr. TAVENNER. Mr. Chairman, when the staff realized that it was going to get into this investigation here, it prepared to ask Mrs. Bella Dodd questions relating to activities in this immediate area to see to what extent they did follow activities in New York and Philadelphia.

The CHAIRMAN. Without going into what she might have said, I should think that the information you received from her would enable you to ask some relevant questions. Just proceed with the questioning without going into what Mrs. Dodd testified to.

Mr. TAVENNER. May I approach the chairman a moment?

(Discussion of committee members and staff off the record.)

Mr. TAVENNER. You have refused to answer questions as to whether or not you were acquainted with Bella Dodd. Let me ask you whether or not you have ever attended fraction meetings of the Communist Party in the city of New York.

Mr. LOWENSTEIN. I decline to answer that question, sir.

Mr. TAVENNER. Mr. Chairman, may I be permitted to read at this time testimony which the committee has obtained from Dr. Dodd regarding fraction meetings in the State of New York and their purposes, and give the witness the opportunity to explain anything

that she has to say regarding him, either by way of denial or explanation?

The CHAIRMAN. Yes; go ahead.

Mr. TAVENNER. I think it sets up the whole picture of activities in this area. May I say that we were unable to get Dr. Dodd at an earlier time and last night this executive testimony was taken:

May 18, 1955. House Committee Un-American Activities, Suite 712, Robert Treat Hotel, Newark, N. J.

Mr. DOYLE. Let the subcommittee come to order and the record show that Representative Scherer of Ohio and Representative Doyle of California are present and our counsel, Mr. Tavenner.

Mr. TAVENNER. Mr. Chairman, I would like to call as a witness at this time Dr. Bella V. Dodd.

Mr. DOYLE. Doctor, may I ask you to be sworn again. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Dr. DODD. I do.

TESTIMONY OF BELLA V. DODD.

Mr. TAVENNER. Will you state your name, please.

Dr. DODD. Bella V. Dodd.

Mr. TAVENNER. Where do you live?

Dr. DODD. 150 East 27th Street, New York City.

Mr. TAVENNER. Dr. Dodd, you have appeared before this committee as a witness at Columbus, Ohio, and also at Philadelphia, Pa. You have given this committee many useful facts regarding the objectives of the Communist Party in the field in which you were extremely interested, that of education. That testimony has been printed and filed with the committee reports in the Congress. In the course of that testimony you stated frankly your own experiences in the Communist Party and especially the facts and circumstances which led to your breaking with the Communist Party and the fight you have made subsequently against the evils of communism. It is not my purpose now to ask you to repeat any of that testimony.

The committee's purpose in calling you at this time is to ask you whether or not you knew as a member of the Communist Party an individual by the name of Robert Lowenstein.

Dr. DODD. Yes, I did.

Mr. TAVENNER. Will you tell the committee where he was from.

Dr. DODD. I knew a Robert Lowenstein, a teacher, from Newark, N. J.

Mr. TAVENNER. Will you tell the committee, please, the circumstances under which you knew him.

Dr. DODD. Robert Lowenstein was an official leader of the Teachers Union of Newark, N. J., and I met him on numerous occasions both in my capacity as a leader of the Communist group within the Teachers Union and as a leader of the union itself. It was my function to call together various Communist Party members of the Teachers Union in the eastern region of the United States, generally in preparation for conventions of the American Federation of Teachers, or in preparation for executive council meetings of the American Federation of Teachers.

The purpose of calling together the Communist members of these Teachers Union locals was to get together on a clarification of the Communist Party objectives, to be followed within the convention meetings and the preparation of appropriate resolutions to be pushed either at convention meetings or the mid-year executive council meetings. These meetings of the leadership group of the Communist fraction of the American Federation of Teachers, which were held generally in New York City, often included representatives of locals from Trenton, Newark, the New York locals, Massachusetts locals, sometimes Cleveland and sometimes Chicago representatives.

Generally they were held in the spring of the year, May or June, in preparation for the convention of the American Federation of Teachers, which were held in the summer. At those meetings there generally was representative of the labor division of the Communist Party, sometimes Roy Hudson, Rose Wortis, sometimes Jack Stachel, and they would set down the Communist Party's objectives for the teachers. The teachers then discussed how to utilize the different divisions, for we recognized that some could go further in pushing Communist

Party policies because they had their own locals more securely in hand; whereas, certain of the other locals such as Newark and Trenton locals, caution would be advised and they would not be expected to push the more drastic resolutions.

Mr. SCHERER. When you say "resolutions," do you mean resolutions adopted or suggested by the Communist group?

Dr. DODD. Yes; that would be resolutions which the Communist Party proposed to have the Teachers Union member introduce into American Federation of Teachers conventions.

Mr. TAVENNER. Where were these meetings usually held in New York City?

Dr. DODD. They were held usually in people's homes. For instance, we held meetings in Celia Lewis' home or Rose Russell's home and my own home.

Mr. TAVENNER. Did I understand you to state that Mr. Robert Lowenstein met with these Communist fraction meetings on occasions?

Dr. DODD. Yes, I did.

Mr. SCHERER. Of course, only members of the Communist Party were admitted to such meetings?

Dr. DODD. Oh, yes.

Mr. TAVENNER. Did Robert Lowenstein participate in different discussions at those meetings of the Communist fraction or groups in the Teachers Union?

Dr. DODD. Yes.

Mr. TAVENNER. Was it his duty as a member of the Communist fraction group to bring back to his local group of the Communist Party in Newark the decisions which had been reached beyond the fraction level?

Dr. DODD. It certainly was.

Mr. TAVENNER. Did he on any occasion report back to a Communist Party fraction meeting the progress that had been or was being made?

Mr. DODD. Well, I assume that he reported it back because the decisions made were carried out by the delegates from this local and the other Jersey locals generally at the conventions of the American Federation of Teachers.

Mr. TAVENNER. Dr. Dodd, in your testimony at Philadelphia you described graphically the fight which was conducted when an effort was being made by the parent organization of the American Federation of Teachers to oust from its membership those locals in which the Communist Party had been successful in taking over.

Do you recall what the situation was in the State of New Jersey at the time that terrific fight occurred within the parent organization of the American Federation of Teachers?

Dr. DODD. Well, the New Jersey locals had been cautioned not to take the extreme position on those issues which caused the break, and the Communist Party was very happy to have the New Jersey locals remain within the American Federation of Teachers because those locals were known to be sympathetic and worked closely with the ousted locals particularly those of New York and Philadelphia. I might add that the Communist Party leadership in the American Federation of Teachers of New Jersey, by following this policy, was able to establish its leadership over the entire State teachers association, and I knew that the Communist Party leadership was the sparkplug for integrating the American Federation of Teachers in New Jersey with the State teachers association in New Jersey.

Mr. TAVENNER. Will you tell the committee whether or not Mr. Robert Lowenstein played any part in the accomplishment of that objective?

Dr. DODD. Mr. Robert Lowenstein was regarded as the most important member of the Communist group in this activity, although the technical leadership was given to the Communist Party member who became the State chairman of the American Federation of Teachers. I think also she became chairman of the State federation of teachers, and I think she also became chairman of the State teachers association, although I am not sure of that. That was Miss Addie Weber. She was the official person, although Mr. Robert Lowenstein was the effective instrument, the person who did the organizing.

Mr. SCHERER. Was Addie Weber a member of the Communist Party?

Dr. DODD. Yes; she was.

Mr. TAVENNER. What part of New Jersey was she from?

Dr. DODD. Trenton, I think.

Mr. TAVENNER. Will you tell the committee whether or not Mr. Robert Lowenstein was in frequent attendance at the fraction meetings of the Communist Party in New York which you have just described?

Dr. DODD. Mr. Lowenstein was the individual who came to any meeting held by the top committee of the Communists in the American Federation of Teachers, when held in New York.

Mr. TAVENNER. After the Philadelphia and New York locals of the American Federation of Teachers were ousted by the parent organization, did the leading Communists in New York locals continue to give assistance and guidance to the New Jersey locals which were able to remain a part of the American Federation of Teachers?

Dr. DODD. Yes; we did.

Mr. TAVENNER. Do you recall when the upheaval took place in the form of the ouster of the Philadelphia and New York locals from the American Federation of Teachers?

Dr. DODD. Well, I think, I am not certain whether it is 1940 or 1941, I do not know that all the locals, the New York and New Jersey locals, went to the convention in 1940 and 1941.

I am not certain whether the New York locals were seated at the 1941 convention. There was a convention of the American Federation of Teachers held in Detroit at that time in which the New York and Philadelphia locals were not seated and the New Jersey locals were seated and at which time the Communist leadership in the ousted locals and the Communists in those locals which remained in the American Federation of Teachers met behind closed doors to decide on policy.

Mr. TAVENNER. At the convention city?

Dr. DODD. Yes.

Mr. TAVENNER. During the convention?

Dr. DODD. Yes; and Robert Lowenstein was one of the leaders of the New Jersey locals.

Mr. TAVENNER. At that convention?

Dr. DODD. At that convention, and at Communist meetings held there.

Mr. TAVENNER. For how long a period of time after that convention was held was it that you were acquainted with Communist Party activities in the Teachers Union in New Jersey?

Dr. DODD. Well, I continued my interest in the Teachers Unions only through the spring of 1944 at which time I gave up my leadership in the Teachers Union movement and become an open leader of the Communist Party, but I retained an interest in teachers throughout my stay with the Communist Party until 1947.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Thank you, Dr. Dodd, and you are excused with thanks of the committee.

If there is nothing further, the subcommittee will stand adjourned.

Mr. TAVENNER. Mr. Lowenstein, is there any statement or any matter related by Dr. Dodd in her testimony which you consider not true?

Mr. LOWENSTEIN. I decline to answer that question. You are asking me what I consider, and I feel it is an area of belief and opinion and I decline to answer that question.

Mr. TAVENNER. Let us put the question in a different way, if that is what is troubling you.

Mr. LOWENSTEIN. I will make it a little easier, sir, by telling you that I will refuse, I will decline to answer questions of that and allied nature.

The CHAIRMAN. Let's have the question first.

Mr. TAVENNER. Have you any explanation that you desire to make of her testimony insofar as it refers to you?

Mr. LOWENSTEIN. I decline to answer that, sir, under the fifth amendment.

Mr. TAVENNER. Did you attend fraction meetings of the Communist Party leadership in New York City attended by Dr. Dodd?

Mr. LOWENSTEIN. I will decline to answer that one, sir, for the same reason.

Mr. TAVENNER. Did you engage in or attend a meeting in Detroit at the time of the national convention of the American Federation of

Teachers composed of Communist Party members of locals that still remained a part of the parent organization?

Mr. LOWENSTEIN. I decline to answer that question, sir.

Mr. TAVENNER. Mr. Chairman, quite apparently the witness is not willing to give any information under any circumstances that I can conceive of presenting to him.

The CHAIRMAN. This is indeed very disappointing, because we hoped that a man of your education and understanding would be willing to do what Dr. Dodd did, and what these other people who made mistakes did. They came forward and helped this committee and I am sure that as a result of the testimony adduced at other hearings these people have made a great contribution to the security of America and we had hoped you would do that.

I would like to ask you whether or not you are a member of the National Federation for Constitutional Liberties.

(The witness conferred with his counsel.)

Mr. LOWENSTEIN. I must decline to answer that question, sir.

The CHAIRMAN. You are not compelled to. Do you?

Mr. LOWENSTEIN. I feel impelled to and so I do, sir.

The CHAIRMAN. It is not what you feel. Do you decline?

Mr. LOWENSTEIN. I decline to answer that question, sir.

The CHAIRMAN. Are you a member of the Citizens Committee for Harry Bridges?

Mr. LOWENSTEIN. I decline to answer that question, sir, on the same grounds.

The CHAIRMAN. Any questions?

Mr. DOYLE. I am not clear as to what your present professional employment is.

Mr. LOWENSTEIN. I am a schoolteacher, sir.

Mr. DOYLE. Here in Newark?

Mr. LOWENSTEIN. Yes, sir.

Mr. DOYLE. In a public school?

Mr. LOWENSTEIN. Yes, sir.

Mr. DOYLE. How in God's name can you be a free agent to give education on the highest level and still be a member of the Communist Party, which dictates to you what to teach? How can you be in a public classroom as a member of the Communist Party and expect the taxpayers to be paying you to teach public education when you are bound by your oath to the Communist Party to teach the Soviet line?

I say that because for years I was a member of the California State Board of Education and I know you cannot be a free teacher and teach the American schoolchildren loyalty to their own country because under your damnable Communist oath you are obligated to teach the Soviet line wherever you can.

Why don't you get out of that party and reverse your track?

The CHAIRMAN. Anything further?

Mr. TAVENNER. I have nothing further.

The CHAIRMAN. The witness is excused.

(Whereupon the witness was excused.)

The committee will stand in recess, to meet at 1:45.

(Whereupon, at 12:20 p. m., the hearing was recessed, to reconvene at 1:45 p. m. the same day.)

AFTERNOON SESSION, MAY 19, 1955

The CHAIRMAN. The committee will be in order.

Mr. Tavenner, call your next witness.

Mr. TAVENNER. I would like to call Mr. Perry Zimmerman, please. Will you come forward, Mr. Zimmerman.

The CHAIRMAN. Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ZIMMERMAN. I do.

May I make a request of the press?

The CHAIRMAN. Yes.

Mr. ZIMMERMAN. In all respect to the gentlemen of the press and those who are photographing me at the present time, since it is my duty in the discharge of my position as teacher in elementary schools of the city of Newark, I request that the newspapers whom you represent do not publish my picture on the basis that it would be disturbing to security and the well-being of the students with whom I come in contact. Thank you.

TESTIMONY OF PERRY ZIMMERMAN, ACCCOMPANIED BY COUNSEL,
RICHARD F. GREEN

Mr. TAVENNER. Will you state your name, please, sir.

Mr. ZIMMERMAN. Perry Zimmerman. P-e-r-r-y Z-i-m-m-e-r-m-a-n.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Will counsel please identify himself for the record?

Mr. GREEN. Richard F. Green, G-r-e-e-n. 7 West Grand Street, Elizabeth.

Mr. TAVENNER. When and where were you born, Mr. Zimmerman?

Mr. ZIMMERMAN. I was born October 2, 1916, in the city of Paterson, N. J.

Mr. TAVENNER. Where do you now reside?

Mr. ZIMMERMAN. I reside in the city of Newark.

Mr. TAVENNER. What is your occupation or profession?

Mr. ZIMMERMAN. My occupation and my profession, a teacher. I work for the Newark Board of Education.

Mr. TAVENNER. Where are you engaged in teaching?

Mr. ZIMMERMAN. In the city of Newark, sir.

Mr. TAVENNER. In what school?

Mr. ZIMMERMAN. Dayton Street School.

Mr. TAVENNER. Will you tell the committee, please, how long you have been engaged in the teaching profession?

Mr. ZIMMERMAN. I have been employed as a teacher in the teaching profession approximately 8 or 9 years.

If I may have a moment, I will give you the exact number of years.

Mr. TAVENNER. Just take your time.

Mr. ZIMMERMAN. At the end of this year I shall have completed 9 years of teaching.

Mr. TAVENNER. Has that entire period been spent in teaching in Newark?

Mr. ZIMMERMAN. No, sir; it has not.

Mr. TAVENNER. Will you begin at the beginning of the 9-year period and tell us when and where you have taught?

Mr. ZIMMERMAN. To the nearest dates that I can establish, I taught in Newton, N. J. for 2 years from September 1937 to June of 1939. I taught in North Caldwell from September of 1939 to June of 1940. I taught in Essex Fells September of 1940 to June 1941. I taught in Verona from September 1941 to June 1942.

(The witness conferred with his counsel.)

Mr. ZIMMERMAN. I cannot establish exactly whether it was in 1950 or 1951 that I taught in Berkeley Heights, N. J.

Mr. TAVENNER. How long did you teach there?

Mr. ZIMMERMAN. One year. For the past 3 years I have been employed by the Newark Board of Education.

Mr. TAVENNER. Will you tell the committee, please, briefly what your formal educational training has been for your profession.

Mr. ZIMMERMAN. As nearly as I can recall, I was graduated from Bernard's High School, Bernardsville, N. J., June 1934. I entered New Jersey Teachers College at Newark in September 1934. In June of 1937 I was graduated with a 3-year certificate by New Jersey State Teachers College at Newark.

In June of 1941 I think, I am not sure, I received my bachelor of science degree from New Jersey State Teachers College in Newark.

In 1942 or 1943, I don't know exactly at the present time, I matriculated at New York University for a master's degree in education. I pursued their 2-year courses. Shortly thereafter, as I say, I do not know exactly whether it was 1942 or 1943 I matriculated at Brooklyn Polytechnic Institute and took work in the civil engineering curriculum until some time in the middle of 1946. To the best of my recollection, what I have said is true. I might be off on 1 or 2 dates.

Mr. TAVENNER. Did you follow the engineering profession after the completion of your technical training?

Mr. ZIMMERMAN. Yes, sir.

Mr. TAVENNER. Where and under what circumstances?

Mr. ZIMMERMAN. While I was studying at Brooklyn Polytechnic Institute I worked for the Pollock Manufacturing Co. in Arlington, N. J. Excuse me, sir. There is one company for whom I worked before. I worked for the M. W. Kellogg Co., New York City.

Mr. TAVENNER. How long did you work for the M. W. Kellogg Co.?

Mr. ZIMMERMAN. I think I worked there for approximately 2 years, some time in 1941 to some time in 1943.

Mr. TAVENNER. What was the nature of your position there?

Mr. ZIMMERMAN. The nature of my position at the M. W. Kellogg Co. was to estimate the amount of steel required in the structural or in the construction of oil refineries.

Mr. TAVENNER. That is virtually the work of a civil engineer, isn't it?

Mr. ZIMMERMAN. It is one branch of the work of a civil engineer.

Mr. TAVENNER. Then what was your next employment?

Mr. ZIMMERMAN. Subsequent to my work at M. W. Kellogg Co. I was employed by Pollock Manufacturing Co. at Arlington, N. J.

Mr. TAVENNER. What was the nature of your employment there?

Mr. ZIMMERMAN. The nature of my employment there was to design machine tools.

Mr. TAVENNER. How long were you employed by that company?

Mr. ZIMMERMAN. Again I am not exactly sure of dates, but I think it was approximately 3 years.

Mr. TAVENNER. Did you work at any other engineering or manufacturing locations?

Mr. ZIMMERMAN. Yes, sir; I worked at the General Electric Co. in Bloomfield as a draftsman, assigned to an engineer to develop new air conditioning, home air-conditioning units.

Mr. TAVENNER. How long were you so employed?

Mr. ZIMMERMAN. Again, sir, I do not have a good memory for dates, and I must say approximately a year or a year and a half.

Mr. TAVENNER. Did you have any other employment other than that of teaching?

Mr. ZIMMERMAN. I worked for the Ketchan Iron Works, Shaw Avenue, either Irvington or Newark. I am not exactly sure.

Mr. TAVENNER. For how long a period did you work there?

Mr. ZIMMERMAN. I think that was approximately 8 or 10 months.

Mr. TAVENNER. Did you have other employment then before you again took up your profession of teaching?

Mr. ZIMMERMAN. Sir, I cannot remember any at the moment. It is possible that I might but under the stress of this situation it escapes me.

Mr. TAVENNER. Then, approximately, you were out of the teaching profession from about 1942 to 1948, were you not?

Mr. ZIMMERMAN. I would say it is slightly longer than that——

Mr. TAVENNER. During that period from 1942 to 1948 when you worked at these various plants, did you have occasion to become a member of any union having bargaining rights at those plants?

Mr. ZIMMERMAN. No, sir.

Mr. TAVENNER. You were not a member of any union then?

Mr. ZIMMERMAN. If I understand your question correctly, sir, you are asking me if at any time during this period I was eligible to become a member of a union.

The CHAIRMAN. He didn't ask you if you were eligible. He asked you if you were a member of the union during that period.

Mr. ZIMMERMAN. I respectfully, sir, decline to answer your question as I have outlined in my statement which I have submitted to you.

The CHAIRMAN. Why do you refuse to answer the question?

Mr. ZIMMERMAN. I decline respectfully, sir, to answer your question on the same grounds.

The CHAIRMAN. What grounds?

Mr. ZIMMERMAN. On the grounds of any answer which I might give might tend at some future date to incriminate me.

The CHAIRMAN. Do I understand you to believe that to be a member of a labor union might subject you to prosecution for a crime?

Mr. ZIMMERMAN. I decline to answer your question, sir, on the same grounds.

The CHAIRMAN. I direct you to answer that question.

Mr. ZIMMERMAN. I decline, sir.

Mr. TAVENNER. During the period that you were employed or at any time during the period that you were employed at these various plants between 1942 and 1948 were you a member of any group or cell of the Communist Party composed principally of employees in the plant in which you were working?

Mr. ZIMMERMAN. Sir, I decline respectfully to answer your question on the grounds that I have already mentioned.

Mr. TAVENNER. During the period that you were actively engaged in the teaching profession in the city of Newark, were you aware of the existence of a group of the Communist Party composed principally of members of the teaching profession in the Newark area?

Mr. ZIMMERMAN. I decline, sir, to answer your question, respectfully, on the grounds that I have already stated.

Mr. TAVENNER. Were you a member of the Communist Party at any time while engaged in teaching in the public schools of Newark?

Mr. ZIMMERMAN. Sir, again I decline to answer your question on the same grounds.

Mr. SCHERER. Were you or are you a member of the teachers union? (The witness conferred with his counsel.)

Mr. ZIMMERMAN. Sir, I respectfully refuse again to answer your question.

Mr. SCHERER. I ask, Mr. Chairman, that you direct the witness to answer the question whether he is a member of the teachers union.

The CHAIRMAN. Yes, answer that question.

Mr. ZIMMERMAN. I decline, sir, to answer your question on the grounds that I have already stated.

Mr. SCHERER. Like the chairman, Witness, it is just impossible for me to see how answering the question as to whether you are a member of the teachers union would incriminate you. That is the only basis on which you can refuse to answer the question.

The CHAIRMAN. Did you attend a meeting last week of schoolteachers in this area?

Mr. ZIMMERMAN. I decline, sir, to answer your question on the grounds which I have already stated.

The CHAIRMAN. As a matter of fact, wasn't there a meeting last week of the schoolteachers of this area, some of them at least, at which a lawyer instructed all of the people there who were subpoenaed as witnesses to refuse to answer any questions that might be asked by this committee?

(The witness conferred with his counsel.)

Mr. ZIMMERMAN. As I wrote in the statement which your counsel has—

The CHAIRMAN. I don't know about any statement. I am asking you a question. Will you answer the question?

Mr. ZIMMERMAN. I respectfully refuse, sir, to answer your question.

The CHAIRMAN. I direct you to answer the question as to whether or not you attended this meeting.

Mr. ZIMMERMAN. On the grounds which I stated, I again refuse to answer your question.

Mr. TAVENNER. Mr. Zimmerman, back in the heyday of the strength of the Communist Party within the American Federation of Teachers there was never any contention by anyone who knew the facts that there was any tremendously large number of Communist Party members within the American Federation of Teachers. Possibly I can find the testimony of Dr. Dodd, who was one of the organizers of the teachers union, as to what those figures were, but my recollection is it was far less than 1 percent. After that time large locals in populace

areas of the country were expelled from that union which is an affiliate of the American Federation of Labor. I think it grossly unfair to all of the loyal members of that organization for you to indicate that there might be something of a criminal nature by reason of your membership in it which is the only inference to be drawn from your refusal to answer.

Now in the light of that, let me ask you again: Were you a member of the American Federation of Teachers?

Mr. ZIMMERMAN. I respectfully decline, sir, to answer your question.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. ZIMMERMAN. I respectfully refuse, sir, to answer your question on the same grounds.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. Mr. Doyle.

Mr. DOYLE. Did you serve in the American military forces at any time?

Mr. ZIMMERMAN. No, sir; I did not.

Mr. DOYLE. Why didn't you?

Mr. ZIMMERMAN. My draft board decided otherwise until 7 days before V-J Day, when I was sent my greetings. I was never called. I would have been willing to go and happy to perform a service.

Mr. DOYLE. That is all right. Let me say to you what I said briefly to other people. Why don't you get out of the gang, the Communist gang if you are in it? Why don't you cut yourself loose so you are a free agent under our American system instead of being dictated to by the Soviet outfit?

The CHAIRMAN. Any questions?

Mr. SCHERER. I just have this observation, Mr. Chairman: It is my feeling that the witness in refusing to answer whether he is a member of the teachers union is clearly in contempt and I think the witness knowing that that is the feeling of this committee might want to reconsider his refusal to answer that question in the light of what I have said. So I am just going to ask the witness again: Are you a member of the teachers union?

(The witness conferred with his counsel.)

Mr. ZIMMERMAN. As I mentioned, sir, in my statement, this goes into the question of associations. Therefore, I feel that I must respectfully again decline to answer your question.

Mr. SCHERER. You leave us with no alternative. We must follow the law, too, and I will have no alternative when this committee meets in executive session but to recommend that you be cited for contempt because there is contempt clearly, at least in my opinion. I thought we would at least give him the benefit of our thinking on that.

The CHAIRMAN. Are you or have you been a member of and active in the United Office and Professional Workers of America Union?

Mr. ZIMMERMAN. Again, sir, I must decline to answer your question on the same grounds.

The CHAIRMAN. Do you decline to answer it?

Mr. ZIMMERMAN. I do decline to answer your question.

Mr. DOYLE. I could not help but notice when you requested that the free press, American press, not publish your picture the reason you gave was that it might disturb the students in the classes in which you are an instructor in Newark, N. J.

Mr. ZIMMERMAN. I will stand by that reason, sir.

Mr. DOYLE. In what way would it disturb them? You volunteered that it would disturb them.

Mr. ZIMMERMAN. I would like to volunteer to the Congressman the fact that the students in our city look to their teachers with pride.

The CHAIRMAN. I wonder how proud they will be when they pick up tomorrow's paper.

Mr. ZIMMERMAN. The teachers in our city enjoy love and respect of their students.

Mr. DOYLE. Would it disturb them to find you were a member of the secret outfit not revealed to the board of education known as the Communist Party in America?

Mr. ZIMMERMAN. Is that a question, sir?

Mr. DOYLE. Yes, that would disturb them, wouldn't it.

Mr. ZIMMERMAN. I respectfully decline to answer your question.

Mr. DOYLE. Why don't you come clean, help your United States and board of education to ferret out the Communist conspiracy? You are being paid by the taxpayers of the country and yet pledging allegiance according to our records, to a Soviet conspiracy to undermine our constitutional form of government. You know as well as I do that is the oath you have to take. It is absolutely inconsistent for you to be in an American classroom and member of the Communist Party in my book.

Mr. TAVENNER. Mr. Chairman, may I resume my questioning?

The CHAIRMAN. Yes.

Mr. TAVENNER. Does the State of New Jersey by law require the filing of a statement with the board of education in the form of an affidavit of loyalty?

Mr. ZIMMERMAN. My information is, sir, I think that is true.

Mr. TAVENNER. Did you file such an affidavit?

Mr. ZIMMERMAN. Excuse me, sir, I wish to consult with my counsel. (The witness conferred with his counsel.)

Mr. ZIMMERMAN. I did so file, sir.

Mr. TAVENNER. I have a photostatic copy of what purports to be such an affidavit. Will you examine it, please, and state whether or not the signature at the bottom of it is your signature? The signature is on the second page.

Mr. ZIMMERMAN. Sir, I subscribe to what is on that.

Mr. TAVENNER. Is that your signature? That was my question.

Mr. ZIMMERMAN. That is correct.

Mr. TAVENNER. Paragraph 3 of the affidavit reads as follows:

Have you at any time organized or helped to organize or cause to be organized or became a member of any society or group of persons which teaches or taught or advocates or advocated that the Government of the United States of America or of any State or political subdivision thereof should be overthrown, overturned, or changed by force, violence or any other unlawful means?

To which the answer is written in ink, "No."

Was that a truthful statement?

Mr. ZIMMERMAN. Yes, sir.

Mr. TAVENNER. Does the Communist Party advocate the overthrow of the Government of the United States by unlawful means?

Mr. ZIMMERMAN. Again I must respectfully decline to answer your question, sir.

Mr. TAVENNER. Are you aware of the decisions of the highest courts of this land holding that the Communist Party of the United States

does teach and has taught and advocated the overthrow of the United States of America by force and violence if necessary?

Mr. ZIMMERMAN. Sir, I am not a lawyer. I do not know of many decisions of the Supreme Court. I am a teacher and an artist. I will stand for any public act which I have committed. There is nothing of which I am ashamed and I resent this line of questioning. Therefore, I am declining to answer your question.

Mr. TAVENNER. Then you refuse to state whether or not you knew that that was the decision and is the decision of the Supreme Court of the United States?

Mr. ZIMMERMAN. Sir, I have no basis for stating, I do not know.

Mr. TAVENNER. Then you said you refused to answer the question. Now you say you do not know. Which of your two answers is the one you desire to rely upon?

Mr. ZIMMERMAN. I must at this point invoke my constitutional privilege. I said before I am not a lawyer.

Mr. SCHERER. May I make this observation: That it is not only the Supreme Court that said that but the law of this Nation now is as stated by the Congress that the Communist Party in this country is not a political party as we know them, but it is a criminal conspiracy dedicated to the overthrow of this Government by force and violence.

So you not only have decisions of the highest courts of the land to that effect but we have had it enacted as part of the Federal law of the land.

Mr. TAVENNER. I have no further questions, sir.

The CHAIRMAN. The witness is excused.

(Whereupon the witness was excused.)

Call your next witness.

Mr. TAVENNER. Estelle Laba.

Mr. DOYLE. Will you raise your right hand, please. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss LABA. I do.

TESTIMONY OF ESTELLE LABA, ACCOMPANIED BY COUNSEL, ADRIAN M. UNGER

Mr. TAVENNER. Will you state your name, please.

Miss LABA. Estelle Laba. E-s-t-e-l-l-e L-a-b-a.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Will counsel please identify himself for the record?

Mr. UNGER. Adrian M. Unger, U-n-g-e-r. 1180 Raymond Boulevard, Newark.

Mr. TAVENNER. Are you a native of Newark?

Miss LABA. I was born in New York City.

Mr. TAVENNER. Do you now reside in New York City?

Miss LABA. No.

Mr. TAVENNER. Where do you live?

Miss LABA. Milburn, N. J.

Mr. TAVENNER. How far is that from the city of Newark?

Miss LABA. Approximately 7 miles.

Mr. TAVENNER. How long have you lived in the State of New Jersey?

Miss LABA. Since approximately 1923.

Mr. TAVENNER. What is your profession?

Miss LABA. I am a laboratory teacher.

Mr. TAVENNER. Will you describe it a little more fully? What type of laboratory work? Chemistry, physics?

Miss LABA. I am a laboratory teacher of biology.

Mr. TAVENNER. Where?

Miss LABA. Central High School, Newark.

Mr. TAVENNER. How long have you been so employed?

Miss LABA. Since September 1953.

Mr. TAVENNER. Prior to that time where did you teach, if any place?

Miss LABA. I was at East Side High School from September 1951 until June of 1953.

Mr. TAVENNER. Prior to that time were you teaching?

Miss LABA. I was at Central Evening High School for 5½ years.

Mr. TAVENNER. Is that in the city of Newark?

Miss LABA. Right.

Mr. TAVENNER. That would put it back to about—

Miss LABA. 1946. In February of 1946, for the record, I was appointed to Barringer Evening High School, and the school was closed and shifted over to Central Evening School.

Mr. TAVENNER. Did you have any teaching experience prior to that time?

Miss LABA. Yes.

Mr. TAVENNER. Where?

Miss LABA. At Central High School again from November or December of 1943 until May, I believe, of 1945. I was in the chemistry laboratory at Central High School.

Mr. TAVENNER. Is that your first teaching experience?

Miss LABA. No.

Mr. TAVENNER. Will you go ahead to the beginning?

Miss LABA. Prior to that I was employed as a substitute teacher, first on a day-to-day basis, from 1935, September 1935 until February of 1939, I believe—one moment—until I believe February 1939, yes. That is my complete experience in the Newark school system.

Mr. TAVENNER. Did you have a position between February 1939 and 1943?

Miss LABA. Yes.

Mr. TAVENNER. What was it?

Miss LABA. Between those dates I worked at Beth-Israel Hospital, 201 Lyons Avenue, on a research grant from the Blood Transfusion Veterans Association of New York.

Mr. TAVENNER. Have you at any time been a member of the American Federation of Teachers during the period that you have been actively engaged in teaching?

(The witness consulted with her counsel.)

Miss LABA. I decline to answer on the grounds of the fifth amendment.

Mr. SCHERER. I ask that you direct the witness to answer, Mr. Chairman.

The CHAIRMAN. You are directed to answer that question.

(The witness conferred with her counsel.)

Miss LABA. I have answered, sir. I decline to answer on my constitutional grounds.

Mr. TAVENNER. Do you have any knowledge of the existence of a group of Communist Party members in the vicinity of Newark composed principally of teachers?

Miss LABA. I decline to answer on the same grounds.

Mr. TAVENNER. Are you aware of any efforts made by any group of the Communist Party in Newark to gain control or otherwise influence the American Federation of Teachers Union in Newark?

Miss LABA. I decline to answer on the same grounds.

(The witness conferred with her counsel.)

Mr. TAVENNER. Have you at any time been a member of a club or group of the Communist Party in the city of Newark?

Miss LABA. I decline to answer for the same reason.

Mr. TAVENNER. Are you a member of the Communist Party?

(The witness conferred with her counsel.)

Mr. TAVENNER. I have no further questions.

Mr. SCHERER. Are you a member of any teachers' union?

Miss LABA. Of any teachers group, did you say?

Mr. SCHERER. Union.

Miss LABA. I decline to answer.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer.

The CHAIRMAN. Answer the question.

(The witness conferred with her counsel.)

Miss LABA. I decline.

Mr. SCHERER. Were you in the room before when I told the other witness how I felt about his failure to answer the question with respect to membership in a teachers' union?

Miss LABA. I am sorry, I can not answer that.

Mr. SCHERER. Are you refusing to answer whether you were in the room and heard that question?

Miss LABA. I am sorry, sir, I decline to answer that.

Mr. SCHERER. You are plainly in contempt in refusing to answer that question. How could that possibly incriminate you, if I asked you whether you were in the room and heard my comments to the previous witness?

(The witness conferred with her counsel.)

Miss LABA. I am sorry.

The CHAIRMAN. If you are in contempt this sheet of paper that your lawyer has there is going to be largely responsible for it.

Miss LABA. I was present when the question was asked, when your statement was made.

Mr. SCHERER. Then you understand now at least how I feel about the possibilities of a contempt citation for refusal to answer the question as to present membership in a teachers' union.

Miss LABA. I believe so.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

(Whereupon the witness was excused.)

Call your next witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Solomon Golat.

Mr. DOYLE. Let the record show a request was made that no pictures be taken before the witness testifies.

Mr. DOYLE. Will you raise your right hand, please. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GOLAT. I do.

TESTIMONY OF SOLOMON GOLAT, ACCCOMPANIED BY COUNSEL,
VICTOR H. MILES AND LEONARD B. BOUDIN

Mr. TAVENNER. Will you state your name, please?

Mr. BOUDIN. Congressman Walter, there are two motions in writing which were filed with the committee. I don't know if you have seen them. They were sent to your attention here.

The CHAIRMAN. I have seen them.

Mr. BOUDIN. Can we have a ruling on them?

The CHAIRMAN. Counsel should know this is the wrong forum in which to raise the question which is raised by this motion, so we will not be rule on it one way or the other.

Mr. TAVENNER. State your name, please.

Mr. GOLAT. My name is Solomon Golat. At this point, Mr. Chairman, I should like at this time to ask that the motion and the supplemental motions which were filed in my behalf by my counsel be read into the record, since they contain—

The CHAIRMAN. They are not going into the record. You may be seated, please, and we will proceed with the hearing in an orderly fashion. This is not the forum in which to raise this question. As a member of the bar, at least you should know that this is the wrong place in which to raise this question.

Mr. TAVENNER. Are you represented by counsel?

Mr. GOLAT. I am.

Mr. TAVENNER. How many?

Mr. GOLAT. By two.

Mr. TAVENNER. Will both counsel please identify themselves for the record.

Mr. MILES. Victor H. Miles, 10 Commerce Court, New York.

Mr. BOUDIN. Leonard B. Boudin, 25 Broad Street, New York City.

Mr. TAVENNER. When and where were you born, Mr. Golat?

Mr. GOLAT. I was born in Norwich, Conn., St. Patrick's Day, 1908.

Mr. TAVENNER. What is your present occupation?

Mr. GOLAT. Lawyer.

Mr. TAVENNER. Where do you reside?

Mr. GOLAT. In Newark.

Mr. TAVENNER. How long have you lived in the State of New Jersey?

Mr. GOLAT. To the best of my recollection, approximately 45 years.

Mr. TAVENNER. How long have you been engaged in the practice of law in the State of New Jersey?

Mr. GOLAT. I believe approximately 24 years.

Mr. TAVENNER. Will you tell the committee, please, briefly, what your educational training has been for your profession?

Mr. GOLAT. I was educated in the public and high schools of the city of Newark and received a further education leading to a bachelor of laws in what is now Rutgers University.

Mr. TAVENNER. When did you complete your training there?

Mr. GOLAT. To the best of my recollection it was in 1929.

Mr. TAVENNER. Mr. Golat, I hand you a photostatic copy of a letter headed, "Civil Rights Congress of New Jersey" under date of May 17, 1948, and I see on the margin the name of the general counsel. Will you examine that, please, and verify whether or not you were the general counsel of that organization at that date.

(The witness conferred with his counsel.)

Mr. GOLAT. What was the last question, please?

Mr. TAVENNER. My question was that I requested you to examine the document and state whether or not you were general counsel of that organization on the date indicated.

Mr. GOLAT. To the best of my recollection I was not.

Mr. TAVENNER. Had you been general counsel for that organization prior to that date?

Mr. GOLAT. To the best of my recollection I was not.

Mr. TAVENNER. Have you ever been general counsel of the Civil Rights Congress of New Jersey?

Mr. GOLAT. Not in my opinion.

Mr. TAVENNER. What do you mean by that?

Mr. GOLAT. Well, I may on occasion have represented that organization as an attorney. I never considered myself as general counsel for that organization.

Mr. TAVENNER. Were you aware of the fact that the Civil Rights Congress of New Jersey under its letterhead represented that you were its general counsel?

(The witness conferred with his counsel.)

Mr. BOUDIN. Can I see that, please?

(The witness conferred with his counsel.)

Mr. GOLAT. I have no present recollection.

Mr. TAVENNER. Had you seen the letterhead of the Civil Rights Congress bearing your name as general counsel at any time prior to today?

Mr. GOLAT. I don't recall seeing it in that designation. That is my present recollection. This letterhead which you are showing me is dated 1948. That is the best answer I can give you.

Mr. TAVENNER. You stated a moment ago that you do not consider yourself general counsel. Is that a qualification of the fact as to whether or not you were actually the general counsel?

Mr. GOLAT. I don't understand the question.

Mr. TAVENNER. Let me put it this way: You indicated some doubt by stating that you did not consider yourself general counsel of the Civil Rights Congress. What do you mean by that?

Mr. GOLAT. You are asking me the question and you are asking me for my opinion. In my judgment I was not general counsel for the Civil Rights Congress in what the terminology connotes.

The CHAIRMAN. Did you ever receive a retainer as general counsel from this organization?

Mr. GOLAT. Not to the best of my recollection, no.

The CHAIRMAN. In what matter did you appear for this organization?

(The witness conferred with his counsel.)

Mr. GOLAT. Mr. Chairman, May I ask in what way that particular question is relevant to this inquiry?

The CHAIRMAN. No, you just answer the question.

(The witness conferred with his counsel.)

Mr. GOLAT. It was my understanding that this committee did not intend to inquire into the matter of relationship between an attorney and client.

The CHAIRMAN. We are not inquiring into those matters. You appeared for this organization. If you appeared for it and received a fee for it there is no reason why you shouldn't tell us in what matters you appeared for it.

(The witness conferred with his counsel.)

Mr. GOLAT. Mr. Chairman, reserving my right to note my objection to that question as not within the province of this committee and within the province of its jurisdiction, I can only say now that not having my office files with me and not anticipating that I was going to be asked when and where I represented as an attorney an organization, I am unable to state now just on what occasions I did represent the Civil Rights Congress.

The CHAIRMAN. Can you tell us approximately how many times you represented them?

Mr. GOLAT. I cannot say without my records. I represented them, I should say, on a number of occasions.

Mr. TAVENNER. Mr. Golat, do you deny you received a retainer at any time as general counsel for this organization?

(The witness conferred with his counsel.)

Mr. GOLAT. The best answer I can give to that is that I don't deny it because I don't recall what, if any, retainer I received not having my office records here, and not recalling now specifically on what occasions I appeared for that organization. As I say, I am not prepared here and I was not given notice that this would be the subject of the inquiry. I inquired through my counsel as to what you were investigating about as far as I was concerned over a week ago but we were not accorded the courtesy of a reply in that connection.

Mr. TAVENNER. Since the very first day of this hearing the committee has been inquiring into certain acts on the part of the Civil Rights Congress of New Jersey. Mr. Moroze, the former assistant treasurer of that organization, and Mr. David Rocklin, the president, testified and during the course of their testimony certain documents prepared by that organization were introduced in evidence. Were you unaware that the committee was investigating those matters?

(The witness conferred with his counsel.)

Mr. TAVENNER. Mr. Chairman, I fail to see how a question of legal advice could be involved in the answer to a question of that kind.

Mr. GOLAT. What was the question?

Mr. TAVENNER. Read the question.

(The reporter read from his notes as requested.)

Mr. TAVENNER. Do you want the matters restated, or do you recall them from my question?

Mr. GOLAT. I recall some of the items you mentioned. Frankly, I don't know particularly what items your committee was investigating.

Mr. TAVENNER. Do you mean to tell the committee that you have not read the papers to determine what the committee was investigating with regard to the Civil Rights Congress of New Jersey through the witnesses, Moroze and others?

Mr. GOLAT. I read the paper but the papers did not give me any information as to what was disclosed by those witnesses.

The CHAIRMAN. For the very obvious reason that they pleaded the fifth amendment.

(The witness conferred with his counsel.)

Mr. SCHERER. Mr. Boudin, you have appeared in these matters before and I think you know the rules of this committee better than most lawyers.

Mr. BOUDIN. I follow them better than most lawyers.

Mr. SCHERER. I have been observing you.

Mr. BOUDIN. I hope you have not been listening.

Mr. SCHERER. I have.

Mr. BOUDIN. I request that you cease to listen.

Mr. SCHERER. I just want counsel to comply with the rule.

Mr. TAVENNER. Mr. Golat, have you any knowledge concerning the publication on January 13, 1951, by the Civil Rights Congress of a throwaway sheet which included in it an exact copy of a statement issued by the Communist Party of the city of Newark?

Mr. GOLAT. I don't know what leaflet you are referring to.

(The witness conferred with his counsel.)

Mr. TAVENNER. Then if the witness did not hear the testimony and is not familiar with the subject, I will have to send for the exhibit that was introduced which we have at the hotel. I will do that and recall the witness when I get it.

So I would like to ask the witness to step aside for the moment.

The CHAIRMAN. Maybe that won't be necessary.

Did you participate in the preparation of any throwaway circular that the Civil Rights Congress distributed locally?

(The witness conferred with his counsel.)

The CHAIRMAN. I will withdraw the question. Go ahead.

Mr. TAVENNER. We had the file of Mr. Moroze here and I have the documents. Will you exhibit it to the witness, please?

(The witness conferred with his counsel.)

Mr. GOLAT. My best recollection is that there was some litigation in the courts of this State with respect to some leaflet but I don't recall whether this is the one or not.

The CHAIRMAN. Read the question of Mr. Tavenner.

(The reporter read from his notes as requested.)

Mr. GOLAT. I have answered to the effect that I have no recollection of this particular leaflet, I don't recall it, but that there was some leaflet in litigation and I don't think this was the one, to the best of my recollection.

Mr. TAVENNER. Possibly I can refresh the witness' recollection. A search warrant was executed on 38 Park Place, Newark, N. J., on January 18, 1951, at which-time the throwaway sheet entitled, "Life or Death, It Is Your Choice," was found in Communist Party headquarters, at the time that Mr. Charles Nusser was there and Esther Engle, and Louis Malinow. There was also found and seized by the officers at that time a statement in writing by Mr. Nusser in which he said that he had prepared that Communist Party document and that the Civil Rights Congress reprinted it and made additional comments of its own and that the document issued by the Civil Rights Congress was released on the day of his release from jail.

The records disclose that on that day the day of its release, the three persons, Charles Nusser, Esther Engle, and Louis Malinow, were

afforded bond with you as the attorney, the bond being a thousand dollars each, and that Lewis Moroze, of the Civil Rights Congress, posted the bond in cash.

Does that refresh your recollection of the occurrence?

Mr. GOLAT. It does not refresh my recollection as to this particular leaflet that you are talking about. I recall some litigation, but you are asking me and I believe the previous question was directed to a specific leaflet and I cannot say whether that leaflet is the one or not.

Mr. TAVENNER. Do you recall whether on the day of the release of the three persons that you represented the Civil Rights Congress did make a release including a throwaway also published, which had prior to that time been published by the Communist Party?

Mr. GOLAT. My only recollection of that particular piece of litigation, at the present moment, is that the cases involving those individuals were dismissed by the courts on the ground that it was found, that there was no legal basis for prosecution, the particular distribution and the instance involved being entirely legal.

Mr. TAVENNER. You remember that very accurately. Do you remember also that the Civil Rights Congress posted bond for \$1,000 for each of those defendants?

Mr. GOLAT. I don't presently recall who posted bond and under what circumstances. I had nothing to do personally with the posting of bond.

Mr. TAVENNER. Were you a member of the Communist Party on January 18, 1951?

Mr. GOLAT. I am afraid, Mr. Tavenner, that I don't fully comprehend the exact and precise meaning of the terms that you are using in the question—"member," "Communist Party"—as you used them.

Mr. TAVENNER. Let me clarify it for you if you are in doubt. Were you a member of a group or club of the Communist Party in the city of Newark?

(The witness conferred with his counsel.)

Mr. GOLAT. I must respectfully decline to answer that question.

The CHAIRMAN. You are not under any compulsion. You said you must decline. Do you decline?

Mr. GOLAT. I believe this subpoena places me under a certain amount of compulsion.

The CHAIRMAN. You said that you must decline.

Mr. GOLAT. I consider it my duty to exercise my right to decline and to state my reasons, and in that respect—

The CHAIRMAN. Do you decline?

Mr. GOLAT. Duty compels me to do that. In that sense it is a "must."

The CHAIRMAN. Do you decline to answer the question?

Mr. GOLAT. Yes; and I would like to state the reasons. To save the time of the committee and to avoid unnecessary repetition I would like to state these grounds to serve—

The CHAIRMAN. We are not interested in the grounds.

Mr. GOLAT. Statement of reasons.

The CHAIRMAN. That is enough. You have declined to answer the question.

Mr. GOLAT. I would like an opportunity to state for the record—

The CHAIRMAN. We haven't the time to listen to you reading that.

Mr. GOLAT. Do I understand you will not permit me to state the grounds and reasons for my refusal?

The CHAIRMAN. You have stated the reasons. You said you declined to answer the question.

Mr. TAVENNER. Didn't he state on the grounds of the fifth amendment?

Mr. GOLAT. I didn't say anything yet.

The CHAIRMAN. He did not.

Mr. TAVENNER. He is entitled to state any legal grounds upon which he refuses to answer, not the reasons and arguments.

The CHAIRMAN. What are the grounds for your refusal?

Mr. GOLAT. What is the difference between reasons and grounds?

The CHAIRMAN. You know the difference.

Mr. GOLAT. I want to state for the record the reasons and grounds.

The CHAIRMAN. We are not concerned with the reasons. That is argument. What are the grounds for your refusal to answer?

Mr. GOLAT. I should like these grounds, to save time, also, Mr. Chairman, to apply to any questions directed to me in the same line and general area of my associations and beliefs and my connection or alleged connection with any organization or association deemed or designated by this or any other organization or agency of the United States as subversive.

The CHAIRMAN. By agency of the United States do you include the Supreme Court and the Congress, both of which have defined communism and have held it is illegal?

(The witness conferred with his counsel.)

Mr. GOLAT. Without arguing the matter, Mr. Chairman, I should like to state the grounds.

Mr. TAVENNER. Mr. Chairman, in light of the witness' statement, I would like for the record to show that no question has been asked regarding his opinions or his associations. And the only questions that have been asked him are regarding his acts and his conduct, and what knowledge he had of the acts and conduct of other people, and I propose to ask no such questions.

The CHAIRMAN. To bring this matter to a head, are you a member of the Communist Party?

Mr. GOLAT. The other question I gather is withdrawn?

The CHAIRMAN. Yes. We will withdraw the other question.

Mr. GOLAT. I must refuse to answer that question on the following grounds.

The CHAIRMAN. Don't say "must," because you are not under any compulsion at all. Do you decline to answer the question?

Mr. GOLAT. I do, Mr. Chairman, if you don't like my way of stating it.

The CHAIRMAN. Give us the grounds.

Mr. GOLAT. I consider that the question violates my privilege under the fifth amendment to the Constitution, which provides that no person shall be required to be a witness against himself.

The CHAIRMAN. "In any criminal matter," you have neglected to state.

Mr. GOLAT. Are you stating my reasons?

The CHAIRMAN. I am telling you what the constitutional provision is. You have stated part of it.

Mr. GOLAT. I would like an opportunity without interruption to state my grounds.

The CHAIRMAN. Go ahead, I am just keeping the record straight.

Mr. GOLAT. I think I have the right to state my grounds in my own language, and without restrictions by the chairman. By this I wish to clearly understand that I do not regard myself as having committed any wrong, since the privilege as stated in the fifth amendment is designed as a safeguard for the innocent and no adverse inference of any sort may be drawn from the assertion of this privilege. In this connection I call to your attention the decisions of the Federal courts.

The CHAIRMAN. Let's skip those. We are well acquainted with them.

Mr. GOLAT. I merely offered to make them a part of the record.

The CHAIRMAN. You need not bother. We know those decisions. Skip the authorities and go on with your reasons.

Mr. GOLAT. I should like as a second ground to state that I consider the proceedings and the question violate the due process provision of the fifth amendment and the other clauses of the Constitution granting the right to a fair trial and a fair hearing.

The CHAIRMAN. You are not being tried for anything. This is no trial.

Mr. GOLAT. I am stating the grounds, sir.

Particularly in light of the refusal of the committee to abide by the recommendations which the Bar Association of the State of New Jersey and I believe of the Federal Bar Association, stated by resolution as constituting the minimum standards for a fair hearing in an investigation of the Congress of the United States.

I should like also to refuse to answer on the further ground that these provisions violate the due process provision of the fifth amendment in that the questions propounded and particularly this question, is characterized by a vagueness of terminology and lack of standards and by a failure to observe all of the elements of due process required of what is in essence a fair trial since the committee at the outset by the placing of this question creates an inference or tries to create an inference or charges or assigns certain innuendos of fault to a witness, and then undertakes to pass upon its innuendo and tries to make an adjudication upon it; and the proceedings are violative of due process in that all of the normal safeguards of due process such as confrontation of witnesses, right to cross-examine, the right to trial by jury, and genuine representation by counsel—I am not now talking about counsel who sit by and can say nothing—genuine representation of counsel is not accorded.

I refuse to answer the question on the further ground that I consider the committee's investigation to be in violation of the constitutional doctrine of separation of powers in that the committee is not engaging in the exercise of legislative powers under article III of the Constitution of the United States, but is seeking to exercise judicial power exclusively granted to the courts under article III of that Constitution.

I refuse to answer for the further reason, on the further ground that the committee inquiry here and the question directed to me is in violation of my rights under the first amendment to the Constitution

of the United States which guarantees to all Americans the right to freedom of speech, belief, the press, assembly, and to petition the Government for a redress of grievances.

I refuse to answer the question for the further ground or on the further ground that this committee's action in subpenaing me and conducting an inquiry here is in violation of the fourth amendment as constituting an unreasonable search and seizure.

I refuse to answer the question on the further ground that this action of the committee in asking questions of this sort and a line of questions of this type and the action of the committee in this proceeding is in violation of the eighth amendment to the Constitution of the United States in that it imposes a punishment upon a witness that is far more severe than could be imposed in any criminal proceedings and does so without the benefit of trial or due process of any sort.

It destroys the representation and the livelihood of the witness in advance by taint, by smear, by publication, without responsibility attached to this body to safeguard the witness.

In the contention of today's affairs the injury to which I have referred as directed by this committee's action constitutes cruel and unusual punishment, particularly because of the absence of compliance with the sixth amendment and the absence of any valid legislative purpose under article 1.

I refuse to answer the question on the further ground that this committee's action violates my rights under the 9th and 10 amendments of the Constitution which provide respectively that the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people and the powers not delegated to the United States by the Constitution, nor prohibited to it by the States are reserved to the States, respectively, or to the people.

I refuse to answer on the further grounds that these proceedings violate due process and are lacking in fairness in that as of May 16, 1955, the date of commencement of public hearings, public utterances were made by members of this committee containing statements derogatory to certain members of the professions in the Newark area which may reflect upon and injure the reputation and standing of myself, such statements by the committee being purportedly based upon testimony of anonymous informants at a secret hearing held at a date, a time and place which have never been revealed to this witness, the said utterances by the members of this committee, being the first publicity released by this committee, received widespread publication in the press and served the purpose of abrogating any concept of fairness at the outset.

I object to answering this question and object to any similar question—withdraw that—I refuse to answer this question, rather, and any question of similar import on the further ground that this question and the action of this committee here today constitutes an invasion of and interference with the attorney-client relationship and in that respect injuries not alone the attorney, but the client and instills upon the bar of this State an atmosphere, a pall of fear, a fear that is engendered by the possibility of any attorney representing a cause of the type you have suggested might be similarly stigmatized as you are attempting to stigmatize me here today.

Mr. TAVENNER. Mr. Golat, have you ever been a member of the Communist Party?

Mr. GOLAT. Same answer and the same reason and I trust, Mr. Chairman, I need not repeat these.

The CHAIRMAN. You need not repeat them.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. I would like to call your attention to the fact, to clarify the record, that the criticism, if that it be, of the New Jersey State Bar Association, is without foundation because in the five suggestions they make with respect to principles, each one is incorporated in a rule of this committee.

We will recess for 10 minutes. The witness is excused.

(Whereupon the witness was excused.)

(Brief recess.)

The CHAIRMAN. During the recess one of the school teachers handed me a statement signed jointly by a number of people which states:

We, the undersigned, as citizens and teachers, feel we owe it to the people of Newark to state our position on the present hearing being conducted by the House Un-American Activities Committee.

We recognize the right of congressional committees to conduct investigations of any field of endeavor whatsoever as a means of strengthening our Federal Government and protecting it from those who would subvert it. Granting all rights and titles to all citizens we nevertheless believe that those who in these perilous times seek refuge in the fifth amendment, particularly teachers, deserve only repudiation by their colleagues and by their employers.

I trust that the people in this community will not get the impression that the fine school district and school system is filled with subversives. That is far from the fact. From these hearings I hope that such inference is not drawn, because we have every reason to believe that the citizens of Newark are blessed with one of the finest school systems in this republic.

Call your next witness.

Mr. TAVENNER. Dr. Harold Lippman.

Mr. BOUDIN. I make the same request with respect to photographs that I made before, that no photographs be taken prior to the witness taking the stand.

The CHAIRMAN. This is of course something we can't control. After the hearing gets under way we will not permit photographs to be taken because it might disturb the witness. It would be disconcerting. However, the press has certain privileges and we are not going to deprive them of those privileges, as you well know.

Mr. DOYLE. Will you raise your right hand. Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Dr. LIPPMAN. I do.

TESTIMONY OF HAROLD E. LIPPMAN, M. D., ACCCOMPANIED BY COUNSEL, LEONARD B. BOUDIN

Mr. TAVENNER. State your name, please.

Dr. LIPPMAN. Harold E. Lippman, M. D.

Mr. TAVENNER. It is noted you are accompanied by counsel. Would counsel please identify himself for the record.

Mr. BOUDIN. Leonard B. Boudin, B-o-u-d-i-n, 25 Broad Street, New York.

Mr. TAVENNER. When and where were you born, Dr. Lippman?

Dr. LIPPMAN. Born in Newark, N. J., December 20, 1915.

Mr. TAVENNER. Have you been a resident of Newark?

Dr. LIPPMAN. I have been a resident of Newark and closely envir-
on towns, Maplewood, Irvington—for my complete, what shall I say,
life to date except for periods when I have been out of town studying
and things like that.

Mr. TAVENNER. Are you a medical doctor?

Dr. LIPPMAN. I am a medical doctor.

Mr. TAVENNER. How long have you been engaged in the practice
of medicine in Newark?

Dr. LIPPMAN. I have been in the practice of medicine—I was licensed
in 1941, I believe, possibly 1942, at which time I entered the Army.

Mr. TAVENNER. How long did you serve in the Army?

Dr. LIPPMAN. I served in the Army 3½ to 4 years. Do you want
my Army career? I will state my complete history.

Mr. TAVENNER. In doing so will you please state the date when you
returned from the Army.

Dr. LIPPMAN. Suppose we start at the beginning and I will give
you educational background.

Mr. TAVENNER. Do it your way, just so you give dates.

Dr. LIPPMAN. I will give dates to the best of my ability. I may
be wrong occasionally but not much.

I was educated in the schools of Newark, N. J., graduated from the
West Side High School in Newark, I attended New York University
from which I graduated in 1937 and being honored by election to Phi
Beta Kappa Society, Theta Lambda Sigma Society, the Honorary Bio-
logical Society, Phi Upsilon, Honorary Mathematics Society, Cadu-
cean Society and Honorary Premedical Society.

After graduation with honors I attended Howard University Medi-
cal School.

The CHAIRMAN. In Washington?

Dr. LIPPMAN. In Washington, D. C. That is right, sir, where I
graduated in 1941 with honors after being elected to the honorary
medical society, Kappa Pi. Yes, sir; Howard is a Negro university
in Washington.

The CHAIRMAN. Who asked you that?

Dr. LIPPMAN. I heard you commenting on it.

Mr. DOYLE. You are absolutely mistaken. Mr. Walter made the
remark, "with honors" and I said, "with honors." You repeated,
"with honors." Nothing was said about Negroes.

Dr. LIPPMAN. I am sorry.

I interned at St. Elizabeth's Hospital in Elizabeth, N. J. from
1941 to 1942. In 1942 I volunteered to the Army where I was a bat-
talion surgeon with a tank battalion attached to the First Division
on D-day. We were the initial assault wave invading Nazi Europe.

For my services in Europe I was awarded five battle stars for the
campaigns of Normandy, northern France, the Ardennes, the Rhine-
land in Germany, and I was decorated for extraordinary meritorious
duty specifically for taking care of wounded under gunfire with the
Bronze Service Medal.

I returned from Europe in 1945, my terminal leave expired in the
beginning of 1946, at which time I opened an office at my present
address where I have been engaged in the practice of general medicine.
I have been practicing general medicine associated with several hos-

pitals in this city and various clinics where I donate my services for the indigent.

Mr. TAVENNER. Since when have you been practicing?

Dr. LIPPMAN. Since I was associated with the clinics, you want?

Mr. TAVENNER. Yes; the date you began the practice of medicine here.

Dr. LIPPMAN. I told you since 1946, after I got out of the Army. I am sorry, sir. Associated with clinics furnishing free care to indigents and in my spare time I have been interested in the problem of the basic research and problems of cancer in old age, in which I believe I have made some headway. I think that brings us about up to date except I have had a little education in law in the last month.

Mr. TAVENNER. Have there been any other organizations in which you have also taken an interest?

Dr. LIPPMAN. I am a member of the American Medical Association, the National Medical Association, I have been a member of the Association for the Advancement of Science, I am a member of the Federation of American Scientists.

Mr. TAVENNER. Most of those groups are groups for which only members of the medical profession are eligible; isn't that true?

Dr. LIPPMAN. Except for the AAS and the FAS, which are scientific organizations.

Mr. TAVENNER. Have you been a member of any other group in the city of Newark limited in membership to those engaged in the practice of medicine?

(The witness conferred with his counsel.)

Dr. LIPPMAN. I don't quite get your question, sir.

Mr. TAVENNER. Have you also been a member of a group of the Communist Party in the city of Newark, composed of members of the medical profession?

Dr. LIPPMAN. Sir, I respectfully decline to answer your question on the following grounds: This committee to my—I am not a lawyer and I hope you will forgive me if I perhaps—

The CHAIRMAN. I thought you did have a legal education.

Dr. LIPPMAN. One month, sir, and I wouldn't pretend to pass any law bar. I feel that this committee's investigation is basically in violation of the entire Constitution of the United States and the Bill of Rights and I will enlarge on this.

The CHAIRMAN. The Supreme Court has already passed on that. You are not correct there. Your legal training is lacking in that regard. Let's go to another reason.

Dr. LIPPMAN. I have read many opinions of the Supreme Court and I know there are many of the items in regard to each one of these bills of rights which they have not passed on and they are very ambiguous on other questions regarding the Bill of Rights.

Mr. TAVENNER. Mr. Chairman, one of the members of the committee told me that he will have to leave in a very short period of time, and although I don't like to do anything in the way of suggesting cutting off a witness in his answers, yet actually all he is entitled to, I believe, assert any legal reasons rather than to make reasoned arguments.

Dr. LIPPMAN. Sir, I did not start the argument. The chairman—

The CHAIRMAN. We started it by bringing you here. We brought

you here because we were reliably informed you were the chairman of the doctors' cell of the Communist Party in Newark.

Dr. LIPPMAN. I did not say that. There is one question on the floor at a time.

The CHAIRMAN. Let me ask you a question: Are you now a member of the Communist Party?

Dr. LIPPMAN. Are you withdrawing all other questions?

The CHAIRMAN. Yes.

Dr. LIPPMAN. Are you withdrawing the question of the argument here?

The CHAIRMAN. Yes.

Dr. LIPPMAN. I have tackled very difficult problems in my time. The problem I am tackling now, not this one specifically in court—

The CHAIRMAN. Will you answer this question? Are you a member of the Communist Party, Doctor?

Dr. LIPPMAN. Will you please give me a chance to talk?

The CHAIRMAN. I am asking you a question. Are you a member of the Communist Party?

Dr. LIPPMAN. I refuse—all other questions are withdrawn?

The CHAIRMAN. That is right.

Dr. LIPPMAN. Then I must decline to answer this question on the grounds that the every existence of this committee is a violation of the fundamental doctrine of separation of powers upon which our democracy is based, it is a violation so profound that it menaces all our freedom, it can only deliver us into a military dictatorship. I have analyzed this very profoundly and this is my measured contention.

My objection is that you are seeking to exercise the judicial power exclusively granted to the courts under article III of the Constitution of the United States; furthermore, that the committee's inquiry is in violation of the witness' rights under the first amendment to the Constitution which guarantees freedom of speech, freedom of the press—

The CHAIRMAN. Just say the first amendment. We know what it contains. We are lawyers and you are a doctor. Give us reasons.

Dr. LIPPMAN. In bringing me here, sir, you are exercising judicial function in front of the people of Newark and I believe it is their right to know my reasons and these are my reasons and I shall give them.

Mr. SCHERER. The people in Newark want to know one thing: Are you a Communist today or are you not? That is all the people in Newark want to know.

The CHAIRMAN. They do not care why you refuse to answer the question.

Dr. LIPPMAN. The committee's inquiry is in violation of the first amendment, freedom of speech, belief, press, assembly, and the right to petition the Government for redress of grievances.

The committee's action is in violation of amendment 4 to the Constitution in that the subpena and inquiry constitute an unreasonable search and seizure, an invasion of privacy, as Justice Brandeis pointed out when he stated—

The CHAIRMAN. Give us the reasons why you refuse to answer.

Dr. LIPPMAN. Insistence on the right to be let alone as a fundamental American right—

The CHAIRMAN. Answer the question and don't give us an argument, don't read the stuff your lawyer prepared and handed you. Give us the reasons.

Dr. LIPPMAN. Sir, I find that you are only objecting when I ad lib, not when I read the stuff. I will go on.

The committee's action is in violation of the sixth amendment to the Constitution, which provides that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by jury—

The CHAIRMAN. You are not being tried for anything.

Dr. LIPPMAN. And to be informed of the nature and cause and the accusation and to be confronted with the witnesses against him and have the assistance of counsel for the defense.

(The witness conferred with his counsel.)

Dr. LIPPMAN. The hearings of this committee, past and present, constitute public trial of the witness in the course of which he is denied any knowledge of the accusation against him. He is denied trial by jury, he is denied the right of confrontation of witnesses whom he has no opportunity to examine, and the effective—and I repeat effective—participation of counsel in his defense.

The CHAIRMAN. You are not being charged with anything. You are being merely asked a simple question. Are you a Communist?

Dr. LIPPMAN. I am answering that simple question, sir. It has been my training in a very fundamental branch of medical research that some of the simplest questions can have the most involved answers if they are to be answered truthfully.

Mr. SCHERER. That is right. It is demonstrated.

Dr. LIPPMAN. That is correct. The action of the committee is in violation of the eighth amendment to the Constitution which provides that no cruel or unjust punishment shall be inflicted. It is established that the committee hearings have the purpose and effect of injuring the reputation and livelihood of the witness subpoenaed to attend the hearings.

In the context of today's affairs such injury constitutes cruel and unjust punishment particularly because of the absence of compliance with the fifth amendment and with the first amendment.

The committee's action violates further the rights under the ninth and tenth amendments to the Constitution which state that enumeration in the Constitution of certain rights shall not disparage or deny others retained by the people.

Powers not delegated to the United States by the Constitution nor prohibited to it by the States are reserved to the States, respectively, or to the people.

And lastly, I would like to impress upon the court—I beg your pardon—the congressional investigation that no person shall be deprived of life, liberty, or property without due process of law and this is a very vital section of the fifth amendment to the Bill of Rights, which is often ignored, the deprivation of life, liberty, or property, and I am in this instance being deprived of property, without due process of law—again without due process of law.

And furthermore that no witness shall be compelled in any criminal case to be a witness against himself.

The CHAIRMAN. This isn't a criminal case within the meaning of the Constitution, is it?

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. Mr. Doyle.

Mr. DOYLE. No questions.

Mr. SCHERER. No questions.

The CHAIRMAN. You are excused.

(Whereupon the witness was excused.)

Mr. TAVENNER. Mrs. Frances Ormond.

Mrs. ORMOND. I respectfully move this committee to quash the sub-pena served upon me and returnable here today on the ground it does not state with particularity the scope, purpose and subject matter of the proposed interrogation to which I am to be subjected.

The CHAIRMAN. This is not the forum in which to raise that question.

Mrs. ORMOND. I am not now testifying as a witness. I am contesting the jurisdiction of this committee. This is in the nature of a special appearance.

The CHAIRMAN. You have been subpenned to testify. Will you raise your right hand? This is not the forum in which to raise these questions.

Mrs. ORMOND. I will raise my right hand, but nonetheless I have to protect my legal rights and still insist that the subpenna is not in proper form. I want the record to show that I waive none of my legal rights by being sworn.

The CHAIRMAN. You are not waiving any of your legal rights. For your information, these subpennas have been tested in the courts and found to be valid.

Mrs. ORMOND. I would like that put in the record.

The CHAIRMAN. Do you swear the testimony you are about to give will be truth, the whole truth, and nothing but the truth, so help you God?

Mrs. ORMOND. I do.

TESTIMONY OF MRS. FRANCES ORMOND, ACCCOMPANIED BY COUNSEL, ESTHER STRUM FRANKEL

Mr. TAVENNER. What is your name, please?

Mrs. ORMOND. Mrs. Frances Ormond.

Mr. TAVENNER. What is your middle name?

Mrs. ORMOND. Etta, E-t-t-a.

Mr. TAVENNER. It is noticed you are accompanied by counsel. Will counsel please identify herself for the record.

Miss FRANKEL. I am Esther Strum Frankel, S-t-r-u-m F-r-a-n-k-e-l, 262 Main Street, Paterson, N. J.

Mrs. ORMOND. Before I state anything else I would like to thank the members of the bar association who have come here as a watchdog committee and who have shown their concern for the protection of the rights of the witnesses here. I would also like to state that I have read the procedures which they advocate being used by this committee and I would like to know whether this committee is prepared to allow my counsel to cross-examine the witnesses.

The CHAIRMAN. She can cross-examine you because you will be the only witness.

Mrs. ORMOND. I read the statement of the New Jersey bar and they did suggest that counsel have that right. Are you prepared to give them that right?

The CHAIRMAN. Your counsel can cross-examine you. Is that what you want? You will be the only witness. Let's start on that. Are you a member of the Communist Party?

Mrs. ORMOND. You force me and I would like to say I want to use the protection of the fifth amendment not to act as a witness against myself.

The CHAIRMAN. Now, then, I ask your counsel: Do you care to cross-examine the witness?

MISS FRANKEL. If the chairman please, the right of cross-examination is designed for the purpose of cross-examining those who are the accusers.

The CHAIRMAN. There are no accusers here. This is a congressional inquiry. This lady is not charged with any offense. This is not a trial. A congressional inquiry is being conducted. This is in no sense of the word a trial and there are no witnesses against this witness at all. We are merely asking this lady some questions. Go ahead, Mr. Tavenner.

Mr. TAVENNER. Are you presently a resident of Newark, N. J.?

Mrs. ORMOND. No; I reside in Maplewood, but before I go further in order to help me answer these questions, I would like a clarification and a definition of what is meant by "un-American activities," a specific definition of that term. So that I will know.

The CHAIRMAN. It is defined in the resolution creating this committee and it is very well known. It is a work of art.

It mentions activities which are in derogation of our form of government.

Mrs. ORMOND. In derogation of?

The CHAIRMAN. Yes; that is right.

Mrs. ORMOND. That means in criticism of.

The CHAIRMAN. No; it doesn't mean criticism. You know what it means.

Mrs. ORMOND. I am not aware. Could you explain that word be cause unless I know—

The CHAIRMAN. We won't explain anything.

Mrs. ORMOND. How can I answer unless I know what is being talked about?

The CHAIRMAN. There is no question asked. How can you answer without a question?

Mrs. ORMOND. I would like the record to show my previous objection to not being answered specifically on what is meant by "un-American." I asked and I was not answered, and it makes it very difficult for me to continue. I am not a lawyer and all of you are, and that makes it very difficult for me to talk to you.

Mr. TAVENNER. How far is Maplewood from the city of Newark?

Mrs. ORMOND. It is a suburb of Newark. I don't know how far.

Mr. TAVENNER. How long have you lived in Newark or its vicinity?

Mrs. ORMOND. All my life.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mrs. ORMOND. Yes; I would like to very much. I graduated from the Irvington High School. I won a prize from the Kiwanis Club, a dictionary which my son prizes very much. Then I went to college, to Newark University, which is now Rutgers University. First year I went to the New Jersey College for Women and then went to Newark University, graduated from the Newark University with a bachelor of arts degree and with honors. I was a member of the honorary society there.

Mr. TAVENNER. When did you get your work at Newark University?

Mrs. ORMOND. 1937. I majored in psychology and sociology, then went to New York University Graduate School of Education, went there about a year and took courses in personnel work and after that time in about—you want my education—then recently in about the last 2 years I have been taking graduate courses at Battle Street School of nursery education and I am trying to finish my master's degree. I am almost completing it.

Mr. TAVENNER. When did you take your work at Newark University?

Mrs. ORMOND. I graduated in 1937, to the best of my knowledge.

Mr. TAVENNER. Then I understand you went to New York University.

Mrs. ORMOND. That is right, to take a graduate course there.

Mr. TAVENNER. When did you take that graduate course?

Mrs. ORMOND. I am not very good on dates, but to the best of my ability I think it was about somewhere around 1938. In that period I took it in the evening.

Mr. TAVENNER. Did you take that graduate course very soon after you finished your course at Newark University?

Mrs. ORMOND. Yes.

Mr. TAVENNER. After you returned from New York University did you engage in any employment?

Mrs. ORMOND. Yes.

Mr. TAVENNER. What was the nature of the employment?

Mrs. ORMOND. I became a personnel interviewer in the United States Employment Service. And I worked there for 4 years until about 1942. At that time my son was born and I stopped working.

Mr. TAVENNER. You have not held employment since that time?

Mrs. ORMOND. No. I had a son and then a daughter and I stayed home and did the job of housewife and mother, that is employment, self-employed. And then I decided that I was very much interested in nursery-school teaching. I worked as a nursery-school teacher for about 4 months in a private nursery school then in 1951 about then I took a job which I am still holding as a nursery-school teacher in the Irvington Y Nursery school, one of the best nursery schools in the State. I have recently been promoted in my job. I was a nursery-school teacher until January this year and I have just been promoted to the post of director or head teacher of the nursery school.

Mr. TAVENNER. What was your address in Newark or in Maplewood?

Mrs. ORMOND. At what time?

Mr. TAVENNER. During the period of time that you were working in the United States Employment Service.

Mrs. ORMOND. I lived at 9 22d Street in Irvington.

Mr. TAVENNER. What was your later address?

Mrs. ORMOND. This is really ridiculous. You know I can't remember. This is a very upsetting experience for someone and I really can't remember. It is not with any intent not to be helpful. I will think of it in a minute. I only lived there a year. I was just married and I guess I was more interested in being married than in the address. I am sorry, I just can't remember the name.

Mr. TAVENNER. What is your address now?

Mrs. ORMOND. I live at 20 Overlook Terrace, Maplewood. Is there anything subversive about where I live or where I don't live that you ask me these questions?

Mr. TAVENNER. Not at all. Have you ever lived on Pomona Avenue?

Mrs. ORMOND. Yes.

Mr. TAVENNER. When did you live there?

Mrs. ORMOND. I lived for about a year, let's see, I am sorry. I didn't get the dates on this, didn't know you would ask me this. I should have known, dates are not my forte.

Mr. TAVENNER. Were you employed during the time you were living on Pomona Avenue?

Mrs. ORMOND. No, I was a housewife at the time.

Mr. TAVENNER. Do you remember the street address?

Mrs. ORMOND. Yes, Pomona Avenue.

Mr. TAVENNER. What number?

Mrs. ORMOND. 107.

(The witness conferred with her counsel.)

Mr. TAVENNER. Did you hold a position in any group or club of the Communist Party while you were a resident at the address you have just given us, 107 Pomona Avenue?

Mrs. ORMOND. I agree with Judge Vanderbilt, who said it is a solemn duty of all citizens to protect the Constitution and therefore I am happy to use my right on the fifth amendment not to act as a witness against myself.

Mr. TAVENNER. Were you a member of the Communist Party at the time you were employed by the United States Employment Service?

Mrs. ORMOND. Same answer for the same reason.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. ORMOND. Are you trying to force me to act as a witness against myself?

The CHAIRMAN. We are trying to get some information.

Mrs. ORMOND. I am trying to protect my constitutional rights and therefore I decline to answer under the protection of the fifth amendment, which states that—

The CHAIRMAN. Never mind, we know what it says.

Mrs. ORMOND.—that no person shall be forced to act as a witness against himself.

Mr. TAVENNER. I have no further questions.

Mr. DOYLE. No questions.

Mr. SCHERER. No questions.

The CHAIRMAN. The witness is excused.

(Whereupon the witness was excused.)

Do you have another witness, Mr. Tavenner?

Mr. TAVENNER. I will call the marshal.

Mr. DOYLE. Do you swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Job. I do.

TESTIMONY OF JOSEPH F. JOB

Mr. TAVENNER. What is your name, please?

Mr. JOB. Joseph F. Job, J-o-b.

Mr. TAVENNER. Do you hold an official position with the United States Government?

Mr. JOB. I do. I am the United States marshal for the district of New Jersey.

Mr. TAVENNER. Were you United States marshal for this district on April 20, 1955?

Mr. JOB. I was, sir.

Mr. TAVENNER. What is the proper designation of this Federal district?

Mr. JOB. What is the proper designation?

Mr. TAVENNER. Yes.

Mr. JOB. Entire State of New Jersey.

Mr. TAVENNER. Do you have jurisdiction, then, as United States marshal, as far as your duties are concerned over the entire State?

Mr. JOB. I do.

Mr. TAVENNER. Did you receive a subpoena issued by this committee for Walter Barry?

Mr. JOB. I did, sir.

Mr. TAVENNER. When did you receive it?

Mr. JOB. On or about the 20th of April 1955.

Mr. TAVENNER. Were you able to effect service of that subpoena on Mr. Barry?

Mr. JOB. I was not.

Mr. TAVENNER. Will you tell the committee, please, what effort you made to execute that subpoena?

Mr. JOB. I will, sir. On April 25 I designated Deputy Ernest Gyar-nati to make service at 11 Murray Street, Newark, N. J., which is one of the addresses we thought we might find this individual Walter Barry. That was unsuccessful.

April 27, 1955, I designated Deputy Joseph Sojka to proceed to an address of the alleged residence of Walter Barry at Old Freehold Road in Toms River. Attempt was made there and the individual was not served because he could not find him.

On April 28, 1955, an attempt was made at 1402 Huntington Terrace, Newark, N. J., former residence of Walter Barry, and service was not executed.

On May 7 I designated my Chief Field Deputy Gus Horn, who proceeded to Old Freehold Road, Toms River, N. J., and with the assistance of Captain Clement and Chief Donald Grover of the Toms River police, tried to make attempt of service at that residence, and we were unsuccessful.

Again on May 7, 9 and 1:30, I designated Deputy William Kelly, who proceeded to 799 Broadway, New York City, where we had reason to believe we might effect service. This is headquarters of a Communist magazine, alleged Communist magazine, March of Labor, and we were unsuccessful in making service at that place.

Mr. TAVENNER. Excuse me a moment. He was connected editorially with the March of Labor, was he not?

Mr. JOB. Yes.

Mr. TAVENNER. He was, according to testimony before our committee.

Mr. JOB. He was, sir.

On May 13, I again designated Deputy Chief Sojka to try and make attempt at 1402 Huntington Terrace, which was his former home and present home of his in-laws, and we were unsuccessful in making service.

On Tuesday, May 10, I along with my Chief Field Deputy Gus Horn and Deputy Leo Mault, again made an attempt at Old Freehold Road in Toms River, spent approximately 6 to 7 hours in and around the vicinity of Toms River interrogating individuals and trying to get some information on this individual Walter Barry. We were unsuccessful in locating him.

We did find out that from time to time on very few occasions in the past couple of years he had been at Toms River. And he had been at Toms River as recently as about a month ago, 5 weeks ago.

Then again on May 12 I proceeded down to Toms River with Chief Field Deputy Gus Horn and Deputy Nicholas Meola and we had reason to believe at that time that Walter Barry might appear at Toms River. We again spent approximately 5 hours in and around Toms River area, about an hour and a half at Lakewood bus station and were unable to make service.

On Saturday, May 14, and on Sunday, May 15, this past weekend, I spent a number of hours personally in and around Toms River and I was unable to make service.

On these two services on May 14 and 15 I was again assisted by Capt. Richard Clement of the Toms River Police. All in all, we made approximately 12 attempts and at no time were we able to apprehend this individual to make service upon him.

Mr. TAVENNER. During these various efforts that you made to effect service, did you have occasion to make known to members of his family that he was wanted for service of process?

Mr. JOB. Yes, I believe that on Saturday, May 7, our chief field doeputy, Gus Horn, made this fact known to his wife, Mrs. Marion Barry, at Old Freehold Road. And Thursday, May 12, at about 7:30 in the evening I personally spoke again with Mrs. Marion Barry, the wife of Walter Barry, and informed her that I represented the Justice Department and that I was very much interested in serving a subpena on her husband, and I told her I would appreciate it very much if he should either call or come to his home, which she claimed he hadn't been at in over a month, to please get in touch with me and I left my phone number, the number of the office here, which is Mitchell 2-2020, and I also left the phone number of the Toms River Police and said I would appreciate very much if you try to expedite this service for us. She said if he does come around she will be happy to do that. That is Thursday, May 12.

On Saturday, May 14 I again did the same thing, to no avail.

Mr. TAVENNER. Did you receive information at any time that he had been in this vicinity since the time you first attempted to serve the subpena?

Mr. JOB. No, we did not, sir. I don't believe that he was in that vicinity any time from the date we were in receipt of the subpena until the present day; not to our knowledge. We had the place under sur-

veillance of individuals who have been cooperating with the United States marshals office in helping us to apprehend this individual and we unfortunately were not able to serve him.

Mr. TAVENNER. I don't think I have experienced any incident in which a greater effort was put forth to locate a witness than was by this officer.

The CHAIRMAN. Are you sure you are subpenaing him under the right name?

Mr. JOB. We were familiar with his other name, Congressman Walter.

The CHAIRMAN. I do not think that is material.

Mr. JOB. I don't think it is, either.

Mr. TAVENNER. The reason that I wanted the record to show the facts is that the subcommittee may desire to report to the full committee the facts relating to this matter, with the idea of having Congress pass a resolution for a warrant for his arrest and his being brought before this committee.

The CHAIRMAN. I think the groundwork has been laid for that.

Mr. TAVENNER. I have nothing further.

The CHAIRMAN. With the testimony of the marshal, the meeting will adjourn for the time being. Those witnesses who have been subpena and have not been called will be notified when and where they are required to appear.

I wish at this time to thank the local officials, particularly Judge Smith and the marshals, for their assistance to this committee in the performance of its very disagreeable duty, a duty imposed upon it by the Congress of the United States.

I say it is unpleasant advisedly.

With that the committee will adjourn.

(Whereupon, at 4:30 p. m., Thursday, May 19, 1955, the committee was recessed subject to the call of the Chair.)

(At the request of Congressman Doyle, the following letter is made a part of this record.)

LOCAL UNION, NO. 349

United Brotherhood of Carpenters and Joiners
of America

ORANGE, NEW JERSEY



DAVID L. WALTER
Recording Secretary
150 Linden Ave
Verona, N.J.

May 18, 1955.

Representative Francis E. Walter
House Un-American Activities Committee.
Federal Building
Newark, N.J.

House Un-American Activities Committee

Gentlemen;

The United Brotherhood of Carpenters and Joiners of America has been aware of the program of the Communists to infiltrate and destroy the Unions of this country, and was the first to take steps to combat this action.

Quite a few years ago the Constitution of the Brotherhood of Carpenters was changed, so as to keep the Communists out of our Union. A member joining this Local Union or any other Local Union of the Brotherhood must swear before the members present 'That he is not a Communist, will not now or ever give aid, support or comfort to any organization that tends to disrupt or cause disension among our members. Before an applicant takes the oath of membership he is informed in the presence of the membership, 'That we do not consider the Communist Party a political party but an organization that advocates the violent overthrow of our Government.'

We take pride in our ability to clean our own house and keep it clean, whenever and wherever these Communist pinks and punks let themselves become known, steps are taken to get rid of them, hampered as we are by a provision of the Taft-Hartley Act that prohibits the Unions from expelling a member for any reason other than non payment of dues.

We believe the quickest way to stop their activites in our schools and unions, is to smoke them out into the open and keep a light on their activities. We also believe that a list of all known Communists and their cohorts should be published for all to see. It would be a great help to all true Americans, who believe our schools and unions should be fumigated to get rid of these parasites at once.

We ask that your Committee publish this list and perhaps shock some of those who believe 'it cant happen here' into taking the proper action.

May we wish your Committee continued success in your great work.

Respectfully yours,

David Walter.

David Walter R.S.

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE NEWARK, N. J., AREA—PART II

WEDNESDAY, JULY 13, 1955

UNITED STATES HOUSE OF REPRESENTATIVES.

SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES.

Washington, D. C.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:45 a. m., in the Caucus Room, Old House Office Building, Hon. Francis E. Walter (chairman), presiding.

Committee members present: Representatives Francis E. Walter (chairman), Clyde Doyle, and James B. Frazier, Jr.

Staff members present: Frank S. Tavenner, Jr., counsel.

The CHAIRMAN. The committee will be in order.

The subcommittee, consisting of Messrs. Velde, Doyle, Frazier, and Walter, will hear the witnesses.

The committee was unable to serve a subpoena on Walter Barry at the time it was hearing evidence relating to the publication March of Labor, and it was likewise unable to serve a subpoena on this individual at the time of the Newark hearings. As to this witness, Walter Barry, the hearing will be a continuation of the hearings heretofore conducted relating to March of Labor and the hearing heretofore conducted at Newark, N. J.

Another witness will be called for the purpose of obtaining information believed to be within his knowledge relating to Communist Party activities in Colorado, Ohio, and possibly other places.

Mr. Tavenner, call your first witness.

Mr. TAVENNER. Mr. Walter Barry.

The CHAIRMAN. Will you raise your right hand, please, Mr. Barry.

Do you swear the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BARRY. I do.

TESTIMONY OF WALTER BARRY, ACCOMPANIED BY COUNSEL, ROBERT LEWIS

Mr. TAVENNER. What is your name, please, sir?

Mr. BARRY. Walter Barry. However, perhaps the committee is aware—if not, I have had other names in the past which I should inform you of.

Mr. TAVENNER. But before doing so, I would like counsel accompanying you to identify himself for the record.

Mr. LEWIS. My name is Robert Lewis, L-e-w-i-s; offices at 615 Columbus Avenue, New York City.

Mr. BARRY. As a youth I organized the Twilight Baseball League of 8 teams. During the course of that period there was a movie called Private Izzie Murphy in which George Jessel appeared. For various reasons the boys' league nicknamed me Izzie Murphy on that basis. That is one name which has been attached to me during the period of my adulthood.

My original name my parents gave me was Israel Eisenshtat, E-i-s-e-n-s-h-t-a-t. The reason for the change to Walter Barry was that I found it difficult because of biased and prejudiced people in industry to get a job with that name, and therefore I legally changed that name the latter part of the 1930's. At the present time my legal name is Walter Barry.

Mr. TAVENNER. Have you used any other name?

Mr. BARRY. Based on some of the testimony of some of the cooperative witnesses' fantasies—only a few weeks ago in Newark one of the witnesses underwrote or fingered a man and swore he was dead. He is as alive as you and I.

Mr. TAVENNER. Mr. Chairman, the answer is not responsive to the question.

Mr. BARRY. Let me finish.

The CHAIRMAN. Answer the question.

Mr. BARRY. I can't determine what some psychopath who comes as a witness—

The CHAIRMAN. Never mind calling loyal Americans psychopaths.

Mr. BARRY. I merely give you an indication, a man under oath swore a man was dead when he wasn't.

The CHAIRMAN. He is a loyal American devoted to the preservation of the Government that you would destroy.

Mr. BARRY. Personally, you have no right to say that.

The CHAIRMAN. I am assuming the right.

Mr. BARRY. You have no right to do that on the basis of anything that you have before you.

The CHAIRMAN. Repeat the question, Mr. Tavenner.

Mr. BARRY. Just a moment. I think the Congressman has no right prior to any hearing or in a court of law to charge me with un-American activity. I wish you would withdraw that.

The CHAIRMAN. We will hear more about this in a few minutes.

Mr. TAVENNER. My question was whether or not you have used any names other than those you have mentioned.

Mr. BARRY. It appears that the committee insists that I testify against myself, and therefore I will use the first and fifth amendments.

The CHAIRMAN. Do you refuse to answer the question whether or not you have used any other names?

Mr. BARRY. I have asserted the privilege, as I have informed you.

Mr. TAVENNER. Have you ever used the name Walter Wishnefsky?

Mr. BARRY. I give you the same answer. I assert the privilege.

The CHAIRMAN. Do you refuse to answer because of the provisions of the first and fifth amendments?

Mr. BARRY. Yes.

Mr. TAVENNER. When and where were you born, Mr. Barry?

Mr. BARRY. I was born in New York City in 1912.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. BARRY. Yes. I went through high school.

Mr. TAVENNER. What is your profession or occupation?

Mr. BARRY. I have had a few. I have worked in shops, I have worked in stores.

Mr. TAVENNER. I mean your occupation at the present time.

Mr. BARRY. Labor organizer, writer.

Mr. TAVENNER. How are you presently employed as a labor organizer?

(The witness conferred with his counsel.)

Mr. BARRY. Up until 1950, I was employed by the United Electrical, Radio, and Machine Workers of America—

Mr. TAVENNER. Let me interrupt you, please. You said up until 1950. Will you give us the date you began working at the UE?

Mr. BARRY. About 1938 to 1950. Prior to that I worked for the CIO.

Mr. TAVENNER. What was the nature of your employment during the period 1938-50?

Mr. BARRY. I was field organizer and international representative.

Mr. TAVENNER. Will you please tell us, please, what period you were a field organizer and where you were assigned?

Mr. BARRY. I was field organizer between about 1938 and 1941, assigned to New Jersey.

Mr. TAVENNER. That is in what district?

Mr. BARRY. District 4.

Mr. TAVENNER. Then in 1941 you became—

Mr. BARRY. International representative.

Mr. TAVENNER. Where were you assigned to work?

Mr. BARRY. Michigan.

Mr. TAVENNER. That would be from 1941 until what date?

Mr. BARRY. 1942.

Mr. TAVENNER. Where did your next assignment as international representative take you?

Mr. BARRY. New Jersey.

Mr. TAVENNER. How long were you there?

Mr. BARRY. Until about 1948.

Mr. TAVENNER. 1942 to 1948. Then you were still an international representative for the additional period of 2 years. Where were you located during that 2-year period?

Mr. BARRY. I then went to Connecticut and worked out of the national office, and then went back to Jersey.

Mr. TAVENNER. During what period of time were you in Connecticut?

Mr. BARRY. I think it was the early part of 1948.

Mr. TAVENNER. You were in Connecticut just part of 1 year?

Mr. BARRY. Yes, part of 1 year. I wasn't there very long.

Mr. TAVENNER. What was your next assignment?

Mr. BARRY. I worked for the national office for a while. The national office of the union in New York.

Mr. TAVENNER. In what capacity?

Mr. BARRY. International representative.

Mr. TAVENNER. That was from 1948 until what time?

Mr. BARRY. Until 1949.

Mr. TAVENNER. What was your next assignment?

Mr. BARRY. New Jersey.

Mr. TAVENNER. Were you still an international representative?

Mr. BARRY. Right.

Mr. TAVENNER. How long were you there?

Mr. BARRY. Until 1950 or 1951. I am not sure.

Mr. TAVENNER. 1949 until 1950 or 1951. I understood that you are still an international representative of the UE.

(The witness conferred with his counsel.)

Mr. TAVENNER. I thought that was the inference of your answer a few minutes ago.

Mr. BARRY. No, it wasn't.

Mr. TAVENNER. I am incorrect. Then how are you employed now as a labor organizer?

Mr. BARRY. I have other employers.

Mr. TAVENNER. I understood you to say your present employment is that of field organizer.

Mr. BARRY. I did not say that.

Mr. TAVENNER. Did you serve as a field organizer of UE at any time after 1950 or 1951?

Mr. BARRY. No.

Mr. TAVENNER. Did you have any affiliation or connection with the UE after 1951?

(The witness conferred with his counsel.)

Mr. BARRY. Yes.

Mr. TAVENNER. Will you tell us what your connection with the UE was?

Mr. BARRY. I was a member.

Mr. TAVENNER. Did you hold any position of any character after 1951?

Mr. BARRY. No.

Mr. TAVENNER. What was the reason for your leaving the position of international representative in 1950 or 1951?

(The witness conferred with his counsel.)

Mr. BARRY. To take other employment.

Mr. TAVENNER. What was that employment?

(The witness conferred with his counsel.)

Mr. BARRY. At this time, because of certain attacks initiated by this committee, I make use of my privilege under the first and fifth amendments.

Mr. TAVENNER. For how long did you remain employed in this character of work which you will not describe for us?

Mr. BARRY. The same answer.

Mr. TAVENNER. Are you still employed in the same character of work, whatever that may be?

Mr. BARRY. I assert the privilege of the first and fifth amendments.

Mr. TAVENNER. What is your present employment?

Mr. BARRY. I assert the privilege of the first and fifth amendments.

Mr. TAVENNER. I have before me the August issue, 1951, of March of Labor, and I see there a letter addressed to the readers. In the course of the article there appears blocked out a photograph with the name "Barry" under it.

Will you examine it, please, and state whether that is a photograph of you?

(Witness examined document.)

(The witness conferred with his counsel.)

MR. BARRY. I assert the privilege.

MR. TAVENNER. Do you refuse to answer, relying upon the fifth amendment as the reason for doing so?

MR. BARRY. Yes.

MR. TAVENNER. Mr. Chairman, I would like to read this letter or this statement in evidence, please, which was in behalf of the management of March of Labor.

DEAR READER: It is with a great deal of pleasure that we make this announcement. Walter Barry has accepted the post of associate editor of your magazine. In recent years Barry has been UE's international representative in New York and New Jersey. Walter is among the most respected progressive labor leaders in the East. He brings with him a wealth of experience in organizing campaigns and strike struggles. We are grateful to UE President Fitzgerald for granting Brother Barry an indefinite leave of absence so he can devote his time, energy, and experience to MOL.

Then I find on the same page this statement:

March of Labor, published monthly at 799 Broadway, New York 3, N. Y., Spring 7-6480, by March of Labor, Inc. Editor, John Stenben. Associate Editor, Walter Barry. Art Editor, Charles Keller.

Isn't it a fact, Mr. Barry, that you did obtain a leave of absence from your position with the UE and became associate editor of March of Labor in July or August 1951?

MR. BARRY. I assert the privilege.

MR. TAVENNER. Do you refuse to answer?

(The witness conferred with his counsel.)

MR. BARRY. I decline to answer because I do not wish to testify against myself, and therefore I assert the privilege.

MR. TAVENNER. I have before me the April 1954 issue of March of Labor. Investigation by the staff has reflected that on this date the name of Walter Barry was dropped as associate editor of this publication. On that date I read from the publication, "March of Labor, editor, John Steuben," without any reference to there being an associate editor.

Did you cease being an associate editor of this magazine in April 1954?

MR. BARRY. It has been evident by former testimony to this committee that this committee has a design of attacking organizations and periodicals contrary to the Constitution of the United States, which allows for freedom of press and assembly, and also to smear—

THE CHAIRMAN. Answer the question.

MR. BARRY. I therefore am again forced to—

THE CHAIRMAN. Don't make a speech.

MR. BARRY (continuing). Decline to answer and to assert the privilege of both the first and the fifth amendments.

MR. TAVENNER. What was your employment in May 1954?

MR. BARRY. I decline to answer, utilizing the privilege.

MR. TAVENNER. Did you continue in any employment with March of Labor after April 1954?

MR. BARRY. I decline to answer, using the privilege.

Mr. TAVENNER. I hand you the September 1951 issue of March of Labor, and direct your attention to page 5, where there appears an article entitled "Labor's Crying Need," by Walter Barry MOL associate editor. Will you examine the article, please, and state whether or not you made that contribution to March of Labor?

(Witness examined document.)

Mr. BARRY. I decline to answer, using the privilege of the first and fifth amendments.

(The witness conferred with his counsel.)

Mr. TAVENNER. I address your attention to the December 1951 issue of March of Labor, with special reference to page 15, where there appears an article entitled, "Regrouping for Victory," by Walter Barry. I will ask you whether or not you wrote that article as a contribution to the magazine.

(Witness examined document.)

Mr. BARRY. I decline to answer, asserting the privilege.

Mr. TAVENNER. I address your attention to the February 1952 issue of March of Labor, at page 25, where there appears an article entitled "Wall Street Jitters," by Walter Barry, and I will ask you whether or not you wrote that article appearing on that page.

(Witness examined document.)

Mr. BARRY. The same answer.

Mr. TAVENNER. Were you acquainted with Mr. John Steuben, S-t-e-u-b-e-n, managing editor of March of Labor?

Mr. BARRY. I decline to answer, asserting and using the first and fifth amendments.

Mr. TAVENNER. Were you acquainted with Mr. Len De Caux, D-e C-a-u-x, associate editor?

Mr. BARRY. The same answer.

(The witness conferred with his counsel.)

Mr. TAVENNER. A number of persons within the field of labor made contributions to March of Labor. One of those was Wyndham Mortimer, W-y-n-d-h-a-m M-o-r-t-i-m-e-r, who previously has been identified by testimony before this committee as a member of the Communist Party. His articles appeared in April 1951, May 1951, June 1951, July 1951, August 1951, September 1951, and April 1952, issues.

Will you tell the committee, please, the circumstances under which those contributions, or any of them, were obtained by this magazine?

Mr. BARRY. It appears to me that this committee is going beyond its constitutional provinces. It is going into the question of freedom of the press.

The CHAIRMAN. Just a minute. Answer the question.

Mr. BARRY. The Supreme Court decision—

The CHAIRMAN. You don't have to make speeches. You are not making any impression on us. We have heard this before.

Mr. BARRY. I am not trying to make an impression.

The CHAIRMAN. Yes; you are.

Mr. BARRY. I am being forced to testify against myself. I want to record here that a Supreme Court decision fixed certain limitations on this committee.

The CHAIRMAN. We know what that decision says.

Mr. BARRY. You are going beyond it. Therefore, because of this—

The CHAIRMAN. Answer the question.

Mr. BARRY. Of the committee's going beyond its province, I am therefore declining to answer the question and assert the privilege.

Mr. TAVENNER. Many persons identified before this committee as members of the Communist Party have made a number of contributions to March of Labor. They include such persons as Ernest DeMaio, D-e-M-a-i-o, James Durkin, Abe Feinglass, F-e-i-n-g-l-a-s-s, Alfred Hirsch, H-i-r-s-c-h, Clinton E. Jencks, J-e-n-c-k-s, David Jenkins, J-e-n-k-i-n-s, Joe Kress, K-r-e-s-s, Ed Lock, and others.

Will you tell the committee, please, if you know, what means were used to obtain contributions to this magazine by persons who were members of the Communist Party?

Mr. BARRY. It is a tricky question. I assert the privilege.

Mr. TAVENNER. Do you refuse to answer?

Mr. BARRY. I decline to answer for the reasons I gave.

Mr. TAVENNER. Did you play any part in securing contributions from any of the persons I named to the magazine March of Labor?

Mr. BARRY. The same answer.

Mr. TAVENNER. I believe you told us that from about 1941 up until 1950 or 1951, you were an international representative of the UE. As an international representative, was it the practice in your organization to have various field organizers assigned to you?

Mr. BARRY. Yes.

Mr. TAVENNER. Normally, how many field organizers came under your supervision?

Mr. BARRY. It varied between 5 and 20 or more in some campaigns.

Mr. TAVENNER. Did you have any choice in the selection of those individuals who were to be assigned to you?

Mr. BARRY. Yes.

Mr. TAVENNER. Did you also have the authority as an international representative to employ clerical help?

Mr. BARRY. Very rarely.

Mr. TAVENNER. What do you mean by that?

Mr. BARRY. As an international representative, I was assigned to a district. The district president did the employing of clerical help. On occasion, on some campaigns where we had an individual office, I might have employed an individual office worker.

Mr. TAVENNER. Did you make recommendations to the district president for employment of clerical help?

Mr. BARRY. Rarely. I might have.

Mr. TAVENNER. Were you at any time a member of the general executive board of the international union?

Mr. BARRY. No; never.

Mr. TAVENNER. Did you meet with them?

Mr. BARRY. I might have been at some enlarged meetings.

Mr. TAVENNER. Do you recall whether a person by the name of Thomas F. Delaney was a member of such a board?

Mr. BARRY. Yes.

Mr. TAVENNER. Do you recall the approximate date that he was a member of the general executive board of the national organization of the UE?

Mr. BARRY. A few years ago. I don't remember the exact date.

Mr. TAVENNER. It was during the period of time when you were an international representative; was it not?

Mr. BARRY. I think so. I am not sure.

Mr. TAVENNER. He testified before this committee that it was in 1948 or 1949. Would that square pretty well with your recollection?

Mr. BARRY. That I was an international representative? Yes, sir.

Mr. TAVENNER. He also testified he was a member of the executive board at that time?

Mr. BARRY. Well, you are telling me that. If he was, then I was international representative at that time.

Mr. TAVENNER. Mr. Thomas F. Delaney testified before this committee at Philadelphia in 1952. He told the committee that he became a member of the Communist Party in 1939, and that he left the Communist Party in May of 1952. He explained to the committee the circumstances under which he became a member and left the Communist Party.

He described a practice which he said existed, that while a member of this general executive board of the national organization of the UE, he received instructions from the Communist Party as to the action which he should take as a member of that board on matters in which the Communist Party was interested. His exact testimony on that subject is as follows:

I asked him whether or not he had conversations with Ernest DeMaio and Grant Oakes regarding the Communist Party or its objectives. Mr. Delaney's reply was:

Not as Communists. I had conversations with them about the policy of the UE which was at times the same policy as the Communist Party, so that it was difficult to differentiate the policies.

Then this question was asked:

Did you discover during your activity as a member of the national executive committee that the Communist Party line was being fostered upon the board?

Mr. Delaney's reply was:

Yes, sir: I did.

Then this question was asked:

Well, how did you come to a realization that that was true and what were the circumstances?

Mr. Delaney replied:

Well, just prior to a meeting which usually was called quarterly in New York City, I would be contacted by a member of the Communist Party and told that certain things the Communist Party hoped to attain and have passed by the General executive board, so that these policies were then introduced at the board meeting and very often were passed.

I then asked Mr. Delaney:

Who gave you that information? Who passed the Communist Party line down to you?

His reply was:

Well, sometimes it would be Joe Kuzma who was trade-union secretary of the eastern Pennsylvania District here before I left for New York, and other times it was Walter Barry, who was an international representative of the UE.

Mr. Barry, the committee is anxious to ascertain all the information it can obtain regarding the method used by the Communist Party in fostering its line upon the organization in which you held a very important position. If you had any part in it yourself, we want to know what part you played in it: so will you tell the committee, please,

whether or not you did play any part in discussing with board members—and by board members I am referring to the general executive board of the international union—what the desires and wishes of the Communist Party were?

(The witness conferred with his counsel.)

Mr. BARRY. Counsel and committee, I think it is a presumption on your part in the course of your question to indicate that I am or was a member of the Communist Party.

The CHAIRMAN. Are you?

Mr. BARRY. Let me finish.

The CHAIRMAN. No. We do not want any speech. I asked you a question. Are you going to answer the question?

Mr. BARRY. I will. You brought me here. You are asking me questions. Let me answer them in my own time and kind.

The CHAIRMAN. No, you are not going to make a speech.

Mr. BARRY. Are you going to force me to answer something against my will—

The CHAIRMAN. No.

Mr. BARRY. And testify against myself? Let me answer the question. He put a question to me. You put another. Let me answer it in time. I will answer your question after I get through with his.

It is a rather involved question he asked me, and I am answering it. May I answer his question, or are you disregarding it?

The CHAIRMAN. We will withdraw the question and ask this question.

Mr. BARRY. Will you also withdraw the inference which he had in his question?

The CHAIRMAN. We will withdraw everything and start afresh. Did you ever attempt to indicate what the Communist Party line was to the people mentioned by Mr. Tavenner and attempt to have them adopt it?

Mr. BARRY. I don't know what you mean by the Communist Party line, Congressman. You are making a broad assertion without any basis in the development of any meeting.

The CHAIRMAN. Let's develop it this way. What was the date, Mr. Tavenner?

Mr. TAVENNER. In 1948 or 1949.

The CHAIRMAN. In 1948 or 1949, were you a member of the Communist Party?

Mr. BARRY. I expected that question. It is the old routine.

The CHAIRMAN. Yes. Were you?

Mr. BARRY. I will answer it. I have some idea what this committee has set out to do and what you, Congressman Walter, as a person many years ago set out to do, because many years ago in your very congressional area, I was responsible in part for the organization of a plant by the name of Ingersoll-Rand where the wages were very low and the conditions were very bad.

You came out and said that the CIO should not be in that area; that our union should not organize that shop, and you would do what you could about it.

The CHAIRMAN. No, I did not say anything of the kind.

At that time they were organized by members of the Communist Party from New York City, and you were one of them.

Mr. BARRY. You also dubbed that organization as Communist and the CIO as Communist.

The CHAIRMAN. Were you a member of the Communist Party during that period?

Mr. BARRY. Because of this background, I therefore am forced, because of my innocence, to invoke my constitutional rights and use the amendment, the first amendment.

Mr. TAVENNER. Were you a member of the Communist Party when you endeavored to organize Ingersoll-Rand as you have just mentioned?

Mr. BARRY. I am proud of my record in helping to organize Ingersoll-Rand and the conditions which they have attained, making them one of the best paying shops in that area, in spite of Congressman Walter and others.

Mr. TAVENNER. Will you answer the question?

Mr. BARRY. I answer in the same way that I did before.

The CHAIRMAN. Do you know Ernest Moyer?

Mr. BARRY. I assert the privilege. Stool pigeons and informers paid for and whose testimony has time and again been proved to be—

The CHAIRMAN. Ernest Moyer was an organizer for the CIO. He is the man who organized Ingersoll-Rand.

Mr. BARRY. There are many Ernest Moyers. I don't know which one you are speaking of.

The CHAIRMAN. The one who was engaged with you in organizing the Ingersoll-Rand plant.

Mr. BARRY. I assert the privilege.

The CHAIRMAN. Do you know Joseph Kuzma?

Mr. BARRY. I assert the privilege.

The CHAIRMAN. Is it not a fact that the first contract executed by the Ingersoll-Rand Co. was negotiated by two men who have been convicted under the Smith Act?

(The witness conferred with his counsel.)

Mr. BARRY. I don't know.

The CHAIRMAN. Who negotiated the first contract with Ingersoll-Rand?

Mr. BARRY. I don't recall.

The CHAIRMAN. Go ahead, Mr. Tavenner.

Mr. TAVENNER. Did you become acquainted with an employee of the UE at New Jersey by the name of Kitty Heck, H-e-c-k?

Mr. BARRY. I assert the privilege.

Mr. TAVENNER. According to notes I took from your testimony as you gave it, you were employed in New Jersey between 1942 and 1948. I am correct in that, am I not?

Mr. BARRY. It might have been 1947 or 1948. It was pretty near 1948. It might vary a month or 2 or 3, in that period.

Mr. TAVENNER. Where did you live in New Jersey during that period of time?

Mr. BARRY. At various places. I don't recall all the addresses. You mean the city? I would say Newark all the time, except for—

Mr. TAVENNER. Did you live the entire period of time in Newark, N. J.?

Mr. BARRY. Yes, except when I traveled on campaigns, or something like that.

Mr. TAVENNER. Where did you live in Newark?

Mr. BARRY. I had various addresses, Abbotsford Avenue, Huntington Terrace, High Street.

Mr. TAVENNER. What was your address at Huntington Terrace?

Mr. BARRY. 140 and 142.

Mr. TAVENNER. What was your address at Abbotsford Avenue?

Mr. BARRY. I don't recall.

Mr. TAVENNER. Was your address 39 Abbotsford?

Mr. BARRY. It sounds like it. I am not sure.

Mr. TAVENNER. In 1946, did you sign a Communist Party election petition? I hand a photostatic copy of it to you, and refer to item 84 for the purpose of refreshing your recollection.

(Document shown to witness.)

Mr. BARRY. I assert the privilege.

Mr. TAVENNER. Does the signature appearing in item 84 appear to be your signature?

Mr. BARRY. The same answer.

Mr. TAVENNER. Is the address given following the name "Walter Barry" in item 84, namely, 39 Abbotsford Avenue, Newark, N. J., your address.

Mr. BARRY. The same answer.

Mr. TAVENNER. The name appearing on the following line, 85, is J. McLeish, 17 William Street, Newark, N. J. Were you acquainted with J. McLeish?

(The witness conferred with his counsel.)

Mr. BARRY. Yes. He was my district president.

Mr. TAVENNER. Were you present when the name "J. McLeish" was signed to this petition which name appears right after yours?

Mr. BARRY. I assert the privilege.

Mr. TAVENNER. So you refuse to testify?

Mr. BARRY. I decline to answer because I am not going to testify against myself. I therefore assert the privilege.

Mr. TAVENNER. Was J. McLeish known to you to be a member of the Communist Party?

Mr. BARRY. The same answer.

Mr. TAVENNER. One of the persons who signed the petition as affiant and who obtained the signatures was Martha Stone. Were you acquainted with Martha Stone?

Mr. BARRY. The same answer.

Mr. TAVENNER. Item 2 of the signatures on the second page is Charles Nusser, 7 Vincent Court, Newark, N. J. Were you acquainted with Charles Nusser?

Mr. BARRY. The same answer.

Mr. TAVENNER. Was he known to you to be a member of the Communist Party?

Mr. BARRY. The same answer.

Mr. TAVENNER. Mr. Chairman, Mr. Nusser was called as a witness in Newark, N. J., and refused to testify.

On another page, item 2, is Emil Asher. Were you acquainted with Emil Asher?

Mr. BARRY. The same answer.

Mr. TAVENNER. Item 28 is Anthony DeAquino. Were you acquainted with Anthony DeAquino?

Mr. BARRY. The same answer.

Mr. TAVENNER. Mr. DeAquino testified before the committee, Mr. Chairman, at Newark. He told the committee the circumstances under which he went into the Communist Party and the circumstances under which he left. My recollection is that he became a member for the purpose of obtaining information which could be used against the Communist Party, and which was, and it resulted in breaking the hold of the Communist Party on his local.

Item 7 on another page is Fannie Tushnet, T-u-s-h-n-e-t, Maplewood, N. J. Were you acquainted with Fannie Tushnet?

Mr. BARRY. The same answer.

Mr. TAVENNER. Was she known to you to be a member of the Communist Party?

Mr. BARRY. The same answer.

Mr. TAVENNER. Item 68 on another page is John Paradise, whose address is given as Brooklyn, N. Y. Were you acquainted with John Paradise?

(The witness conferred with his counsel.)

Mr. BARRY. You mean John Paradise who was on the UE staff?

Mr. TAVENNER. In 1946, John Paradise had an address of 466 85th Street, Brooklyn, N. Y. Does that help to identify him?

Mr. BARRY. No. I wondered if he was the one who worked as an organizer for the UE.

Mr. TAVENNER. Item 14 on another page is Kate Heck. Were you acquainted with Kate Heck?

Mr. BARRY. The same answer.

Mr. TAVENNER. I desire to offer this document in evidence, Mr. Chairman, and ask that it be marked "Barry Exhibit No. 1," for identification purposes only, and to be made a part of the committee files.

The CHAIRMAN. It is so ordered.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. BARRY. Due to the fact that this committee has gone beyond its province time and again, including its chairman, Mr. Walter, naming people, smearing people—I have here a comment in the Washington Post today where it seems that other people feel similarly, "Editorial Denounced by Representative Walter"—it appears to me the same thing is going on here, and therefore I have to use my constitutional rights, the assertion of the first and fifth amendments.

The CHAIRMAN. You, too, are disturbed because Communists are being deported, are you not?

Mr. BARRY. According to the newspaper account, your answer is wrong. The man takes issue with you on it. He says you were attempting to intimidate him and coerce him by statements which have no basis in fact. I kind of agree with him.

The CHAIRMAN. Of course you agree with him.

Tell me this: Wasn't the contract at the Ingersoll-Rand Co. negotiated by Emspak and Matles?

Mr. BARRY. I am not sure, but I think you are mistaken.

The CHAIRMAN. Did they negotiate the second contract?

(The witness conferred with his counsel.)

The CHAIRMAN. As a matter of fact, they signed the contract.

Mr. BARRY. I don't know.

The CHAIRMAN. Did they negotiate any contract?

Mr. BARRY. I don't know.

The CHAIRMAN. Do you know both Emspak and Matles?

Mr. BARRY. Right.

The CHAIRMAN. Emspak was candidate for a political office, was he not, in New York?

Mr. BARRY. Not that I know.

The CHAIRMAN. Was Matles a candidate for a political office?

Mr. BARRY. Not that I know. If they were, I don't see any purpose of the discussion. They have a right to run for office in this country. It is a political right.

Mr. TAVENNER. Have you been a member of the Communist Party at any time?

Mr. BARRY. The same answer as before, utilization of my rights under the first and fifth amendments to the Constitution.

(Discussion off the record.)

Mr. TAVENNER. Mr. Barry, I asked you a question regarding John Paradise. You asked me if it was the John Paradise who was an organizer for the UE. I have obtained the testimony of John Paradise at the Newark hearings of this committee on May 18, 1955. Mr. Paradise testified that he was an organizer for the UE.

Mr. BARRY. That is the one I knew.

Mr. TAVENNER. This sums up pretty well his experience as an organizer. I put the question this way:

Mr. Paradise, you are a person of very wide experience in organizational work in the UE. From your testimony here you have served in Brooklyn, you have served in various areas within the State of New Jersey, you have served over a great part of Pennsylvania, over a part of West Virginia, you have gone back to New York City, you have come back to the State of New Jersey. I don't know of anyone who would be in a better position to give this committee facts regarding Communist Party infiltration into the leadership of the UE than you are.

Now if you don't know of any such activities, then it would be a very significant thing with such wide experience as you have had, and if you do know of it, it would be of great value to this committee if you would give such facts as are within your knowledge. Will you tell the committee whether or not you have observed activity of the Communist Party within the leadership of the UE?

Mr. Paradise's reply was:

I consider that this question is a violation of my constitutional rights and I refuse to answer the question based on my privilege under the fifth amendment and the first amendment as a witch-hunting question.

That testimony identifies Mr. Paradise to you, doesn't it?

Mr. BARRY. That doesn't, but if you tell me he is the UE organizer—

Mr. TAVENNER. Yes, he has said he was the UE organizer.

Mr. BARRY. I know such a Paradise.

Mr. TAVENNER. Was he known to you to be a member of the Communist Party?

Mr. BARRY. I assert the privilege.

Mr. TAVENNER. Do you refuse to answer?

Mr. BARRY. I decline to answer, and I substantially take similar reasons that he has given. I think he has commonsense.

Mr. TAVENNER. In other words, you take the same position that he does. You will not give this committee any facts within your knowledge regarding communism? Is that the part of his statement that you are now adopting?

Mr. BARRY. I now independently answer that based on the history of this committee ever since its inception, which has been used to casti-

gate and harm labor, the fact that all kinds of labor leaders, church leaders, educators, and political people have said that this committee has as its purpose hurting labor, and attempting to force conformity upon people irrespective of their views; yes, I take use of my constitutional rights under the first and fifth amendments.

Mr. DOYLE. Mr. Chairman, may I at this point say this: I think your statement is fallacious and not true. It is not according to fact. The fact is that we are charged under Public Law 601 with investigating the extent to which your labor union or any other labor union has been or is infiltrated by the Communist conspiracy.

I was at the Newark, N. J., hearings and I definitely recall that the evidence there, beyond contradiction, was that the UE union, at least at the time we received the testimony about it, was full of Communist Party domination and control.

I just could not sit quiet and hear you make the statement you made which is full of fallacious and false statements, not based on fact. I just want to make it clear that I, as a member of this committee, and I am sure the committee itself, am not interested in harming any union.

We are interested in harming and destroying, if we can, the Communist Party control of unions or the infiltration of them by the Communist Party.

The CHAIRMAN. Are there any further questions?

Mr. BARRY. May I respond to the Congressman for a moment?

The CHAIRMAN. No.

The witness is excused.

(Whereupon the witness was excused.)

(Whereupon, at 11:45 a. m., the hearing was adjourned.)

(Testimony of witnesses on May 16 and 17, 1955, printed in part I of this series.)

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